THE

CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

THE YEAR 1886.

RANGOON:

PRINTED AT THE GOVERNMENT PRESS.

1887.

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RESOLUTION

ON

THE CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

THE YEAR 1886.

Extract from the Proceedings of the Chief Commissioner, Burma, in the Judicial Department,—No. 9B., dated the 20th August 1887.

READ—

Report on the administration of civil justice in Lower Burma during the year 1886.

RESOLUTION.—The statistics of the administration of civil justice in Lower Burma during the year 1886 present no unusual features. In considering the figures it is necessary to bear in mind that the statistics of 1885 are vitiated by the destruction of the records of four Courts in the Shwegyin district. This affects comparisons drawn between the results of that year and that of the year under review. The submission of the Judicial Commissioner's report has been delayed owing to the late receipt of the Pegu returns. The Chief Commissioner must insist on the punctual preparation of reports and returns, and will be compelled to take serious notice of any omissions in this respect.

2. *Statistics of litigation.*—There was a decrease in the number of regular suits instituted in the Civil Courts of the province as compared with the number in the previous year. In the Civil Courts under the supervision of the Judicial Commissioner the number of regular suits instituted decreased from 27,961 in 1885 to 27,286 in the year under review; in the Court of Small Causes, Rangoon, the numbers were 5,752 and 4,965 respectively; and in the Recorder's Court 254 and 234. The decrease in the Courts under the control of the Judicial Commissioner was greatest in the disturbed districts, such as Pegu, Tharrawaddy, and Henzada. It may reasonably be inferred that the disturbances which prevailed were the cause of the decrease in litigation. The cause was accidental and outside the ordinary causes which affect the administration of civil justice. No deduction concerning the normal rise and fall of litigation in Burma can be drawn from these figures. The work of the Rangoon Courts was no doubt indirectly affected by the same cause. It is with some regret that the Chief Commissioner has noticed the large increase in the number of cases instituted in the Arakan Hill Tracts owing to the disuse of the custom of referring disputes to the arbitration of the local chief. It is not possible to actively discourage recourse to our Civil Courts; but there is much to be said in favour of the maintenance of local customs. The disuse of the custom of arbitration must tend

to impair the authority of the chief. The average value of the subject-matter of each suit was almost the same as last year. The character of the litigation presents no subject for comment. The fluctuations in the several classes of suits were quite normal. The miscellaneous work of the Courts was somewhat heavier than in 1885, the number of cases being 5,645 as compared with 4,701. The increase was confined to Rangoon.

3. *Disposal of business.*—The statistics of the manner in which the business of the Courts was disposed of do not materially differ from those of previous years. The average duration of cases was much the same as usual, and no fault can be found with the majority of the Courts on the ground of want of promptitude in the despatch of business. Exception must be made in the case of the Court of the Judge of Moulmein, where the duration of suits, both contested and uncontested, seems to be needlessly long. The Judicial Commissioner will doubtless issue the necessary instructions to secure greater promptitude in future. The Chief Commissioner commends to all Judicial Officers the remarks of the Judicial Commissioner on the subject of the disposal of judicial work, and he notices with pleasure the remarks contained in several parts of the Judicial Commissioner's report which indicate that the quality of the work done by the Subordinate Courts is steadily improving. The good result of the instruction afforded to Native Judges by the Judicial Commissioner and by District Officers under his supervision is becoming apparent.

4. *Courts in Rangoon.*—Some points connected with the working of the Courts in Rangoon require separate notice. Besides the Special Court, which disposed of three appeals, leaving five pending, and two references, there are in Rangoon the Court of the Recorder and the Court of Small Causes. In the Recorder's Court two Judges sat throughout the year and disposed of 291 regular suits, 55 insolvency cases, and 412 miscellaneous cases, vice-admiralty suits, and applications for execution of decrees. Of the 291 regular cases disposed of 161 were decided on contest. At the close of the year 71 regular suits were pending. In 1885, when except for a short time only one Judge sat in the Recorder's Court, 222 regular suits and 472 miscellaneous cases were disposed of by the Recorder. Of the cases disposed of 108 were decided after contest and 127 cases were pending at the end of the year. In view of the probable establishment of a Chief Court it is unnecessary to discuss the question whether the increase of work disposed of has been commensurate with the increase of power gained by the addition of a second Judge. There was a decrease in the number of suits instituted in the Recorder's Court, but an increase in the total value of the suits.

5. *Execution of decrees.*—There was some increase in the number of applications for the execution of decrees. In 4,714 cases, or 53 per cent. of the total number, the applications were completely or partially successful. There was a satisfactory decrease in the number of cases of imprisonment. Attachments of immoveable property were less numerous, but sales of immoveable property were more numerous than in 1885. The number of sales of immoveable property is not such as to give ground for apprehension concerning the condition of landholders. The Government of India have asked that special reference may be made to the effect of the action taken under section 320 of the Civil Procedure Code for the protection of the Karens of the Bassein district. The Judicial Commissioner has mentioned the subject in this report and has attached the reports of the local officers.

It does not appear that action was taken under section 320 of the Civil Procedure Code during the past year. But there is some reason to believe that protection is afforded by the existence of the special rules and that the creditors of Karens deal more fairly with them owing to the knowledge that the Revenue Courts have the power to interpose. The report of the intelligent Karen Myoôk of Thigwin justifies this belief. The Judicial Commissioner is requested to obtain a further account of the subject next year and to again discuss the matter in his report.

6. *Appeals.*—The number of appeals and revisions decreased from 1,690 in 1885 to 1,417 in the year under review. In nearly 30 per cent. of the appeals decided the judgment of the Court of first instance was revised or modified. The percentage is slightly in favour of the Lower Courts as compared with the corresponding percentage in 1885. The Judicial Commissioner's remarks concerning the duty which lies on Appellate Courts of abstaining from undue interference with the decrees of the Courts by which the cases have been tried are entitled to much weight. Confidence in the finality of judicial decisions should as much as possible be fostered. The average duration of appeals was high. But, as the Judicial Commissioner has justly remarked, the circumstances of the year were abnormal, and the presiding officers of Appellate Courts cannot be held responsible for the delays which occurred.

7. *Cost of litigation.*—The proportionate cost of litigation in the Court under the control of the Judicial Commissioner was a fraction per cent. higher than in the previous year; but the proportionate cost of appeals was substantially, and of executions slightly lower. In the Court of the Recorder of Rangoon the percentage of costs to the total value of suits was 8·96 as compared with 12·79, the percentage for the province. The reduced scale of process fees came into operation in October 1886. Its full effect is therefore not yet apparent.

8. The Chief Commissioner has much pleasure in recording his appreciation of the valuable work done by the Judicial Commissioner for the improvement of the work of the subordinate Courts, and of his careful supervision of the administration of civil justice in his jurisdiction. He is glad to concur in the commendation recorded by the Judicial Commissioner of the good work done in this branch of the administration by Colonel Street, Mr. Buckle, Mr. Weidemann, Mr. Birks, and Mr. Burne.

By order of the Chief Commissioner,

H. THIRKELL WHITE,

Secretary.

THE CIVIL JUSTICE REPORT OF LOWER BURMA FOR THE YEAR 1886.

PART I.

Courts exercising jurisdiction in the Town of Rangoon.

SPECIAL COURT OF LOWER BURMA.

During the year 1886 there were six appeals preferred from the decision of the Judge of the town of Moulmein, two were pending at the close of the year 1885, making in all eight appeals for disposal. Of these three were disposed of and five were pending at the close of the year.

2. The following comparative table shows the work of the past two years on this side of the Court :—

Year.	Number of appeals pending at the close of the previous year.	Number of appeals instituted.	Total for disposal.	Result.					
				Confirmed.	Dismissed.	Modified.	Reversed.	Remanded.	Pending.
1885	6	2	8	2	1	1	2	...	2
1886	2	6	8	2	...	...	1	...	5

3. Besides the above there were three miscellaneous appeals, two from orders passed by the Court of the Judge of the town of Moulmein and one from that of the District Judge of Akyab, in insolvency matters. There was also one application, under section 18 of the Burma Courts Act, for authority to proceed with certain suits for moveable and immoveable property, and there were seven miscellaneous applications, which were all disposed of during the year.

4. One appeal, which was preferred to the Privy Council against the decision of the Special Court in the previous year, is still pending.

5. There were two references made to this Court by the Court of the Judicial Commissioner under section 76 of the Burma Courts Act (XVII of 1875).

In one of these the points for decision were—

(i) will a suit between a Burman Buddhist married pair lie for restitution of conjugal rights; and

(ii) if so, is the relief lost by the plaintiff's abandonment by the defendant for a shorter period than that mentioned in Menu Kye, Book V, Chapter 17?

In regard to the first question it was decided that the view hitherto held in the Recorder's Court that one of a married Burman Buddhist pair could divorce the other on mere caprice was erroneous and opposed to the true construction of the text of the Menu Kye on which the view was based; and that there was no evidence of the existence of any such custom.

It was held that such a suit would lie, and the second question was answered in the negative.

The other reference was pending at the close of the year.

6. The revenue of the Court during the year from court-fee stamps amounted to Rs. 1,627-2-0 and the expenditure to Rs. 1,690-13-8. In the previous year the revenue was Rs. 1,433-3-0 and the expenditure Rs. 1,772-9-3.

7. The Judges of the Court from the 1st to the 25th January 1886 were Mr. W. F. Meres and Mr. R. S. T. MacEwen; from the 26th January to the 5th March were Mr. W. F. Agnew and Mr. W. F. Meres; and from the 6th March to the close of the year were Mr. W. F. Meres and Mr. R. S. T. MacEwen.

W. F. AGNEW,

RANGOON: } W. F. MERES,

The 19th April 1887. } *Judges of the Special Court of Lower Burma.*

COURT OF THE RECORDER OF RANGOON.

Report on the administration of civil justice in the Court of the Recorder and in the Court of Small Causes, Rangoon, for the year 1886.

DURING the year 799 cases were instituted, of which 234 were regular (including two matrimonial), 40 insolvency, 313 miscellaneous, and 192 execution of decrees. Hitherto applications for execution of decrees have been shown as miscellaneous cases. Besides these there were four new trials granted. In the previous year there were 719 cases instituted, namely, 254 regular, 1 admiralty, 69 insolvency, 395 miscellaneous including execution of decrees, besides 8 new trials and 2 reviews of judgment, making in all 724, showing a decrease of 20 regular, 29 insolvency, 2 reviews, and 1 admiralty, and an increase of 1 new trial, 51 execution of decrees, and 59 miscellaneous cases. The following cases were pending at the close of the year 1885, namely, 128 regular, 1 new trial, 2 admiralty, 28 insolvency, and 12 miscellaneous cases, thus making a total of 953 cases for disposal during the year. Of these 758 were disposed of, namely, 291 regular, 5 new trials, 2 admiralty, 55 insolvency, and 405 miscellaneous cases and applications for execution of decrees. The number of cases pending at the close of the year 1886 was 196, namely, 71 regular, 13 insolvency, 22 executions, and 90* miscellaneous cases.

* Of those 88 were land acquisition cases.

2. In the previous year 234 regular, 3 new trials, 2 revisions, 73 insolvency, and 404 miscellaneous cases were disposed of, making a total of 716 cases.

3. The number of cases of all kinds disposed of in 1886 was 757, or 41 more than in 1885.

4. The total value of suits instituted during the year amounted to Rs. 12,05,250-10-1 and the amount of court-fee stamps realized was Rs. 60,743-4-0, while the total value of suits disposed of amounted to Rs. 12,19,052-10-6. In the year 1885 the value of suits instituted amounted to Rs. 9,83,023 and the court-fee stamps Rs. 78,126-6-0, the value of suits disposed of being Rs. 10,32,023. Thus, it will be observed, there has been an increase in the value of suits instituted of Rs. 2,22,227 and of suits disposed of Rs. 1,87,029, but a decrease of Rs. 17,383-2-0 in court fees realized. This is accounted for thus. The court fee includes the court fees on letters-of-administration and probates. The decrease under this head alone amounts to Rs. 21,911 as will be seen from the statement:—

Year.	Number of suits instituted.							Number of suits disposed of.							Number of suits pending.							Value of suits instituted.	Value of suits disposed of.
	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous and executions.	Total.	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous and executions.	Total.	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous and executions.	Total.		
																						Rs.	Rs.
1885 ...	254	3	2	1	69	395	724	234*	3	2	...	73†	404	716	127	1	...	2	28	12	170	9,83,023	10,32,023
1886 ...	234	4	...	...	40	705	783	290	5	...	2	55	405	757	71	...	...	...	13	112	196	12,05,250	12,19,052
Increase ...	...	1	...	...	...	110	59	56	2	...	2	...	1	41	...	...	...	...	..	100	26	2,22,227	1,87,029
Decrease ...	20	...	2	1	29	...	...	...	...	2	...	18	...	...	56	1	...	2	15	...	...	...	...

* Twelve disposed of by Judicial Commissioner under Act XIV of 1885.
† Includes 10 transferred to Moulmein and Akyab.

Statement of Court Fees realized.

Year.	Process fees.	Amount realized under Act VII of 1870, Schedule I, Articles 1 to 9 inclusive.	Amount realized under the same schedule, Nos. X to XII.	Amount realized under Schedule II.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1885	2,050 8 0	42,497 0 0	31,554 0 0	1,424 14 0	78,126 6 0
1886	2,633 8 0	46,301 9 0	9,643 0 0	1,565 3 0	60,743 4 0
Increase ...	583 0 0	3,804 9 0	.....	140 5 0	.....
Decrease ...	.....	.....	21,911 0 0	.....	17,383 2 0

Of the 291 regular cases disposed of 161 were contested and 130 uncontested. The average duration of the former was 224 days and of the latter 95 days.

There were 41 applications made to this Court under section 622 of the Civil Procedure Code for revision of the judgments and decrees passed by the First Judge of the Small Cause Court, and none remained pending at the close of the year under report. In eight of these cases amendments were ordered and procedure pointed out; the decisions in the remaining 33 cases were not interfered with. There were nine applications for revision of orders of the Second Judge. In one of these amendment and procedure was pointed out; the remainder were not interfered with. During the year one appeal was preferred to the Privy Council and one to the High Court at Calcutta from the judgment and decree of this Court; the latter was dismissed in the early part of this year. There were also two references to the High Court at Calcutta under section 54 of the Burma Courts Act, which were disposed of. The appeal which was preferred to the High Court at Calcutta in the previous year was rejected in the year under report, and the appeals which were preferred to the Privy Council are still pending before Her Majesty in Council.

The following table shows the classes to whose estates probates and letters-of-administration were granted during the year and the value of the estates:—

Class.	Number of probates granted.	Number of letters-of-administration.	Number of letters-of-administration with will.	Value of estates.
				Rs.
Europeans and Eurasians	9	9	1	1,44,950
Buddhists { Burmese	...	8	...	16,960
Buddhists { Chinese	...	1	...	4,000
Mahomedans	2	6	...	66,000
Hindus	1	8	...	13,900
	12	22	1	2,45,810

In the previous year 14 probates, 15 letters-of-administration, and three with wills annexed were granted. The value of estates amounted to Rs. 16,23,700 and the court-fee stamps to Rs. 31,554, the amount of court fees recovered in the year under review being Rs. 21,911 less than in 1885.

Vice-Admiralty Jurisdiction.

There were no cases under this jurisdiction during the year. The two cases which were pending at the close of the previous year were disposed of.

Insolvency Jurisdiction.

There were 40 petitions presented in this jurisdiction during the year, of which 24 were for personal discharge, 10 for final discharge, and six were for the

adjudication of 10 insolvents, and the petitions of 30 persons were pending at the close of the previous year.

The following table shows the particulars of the insolvency cases:—

Number of persons whose applications were pending at the close of 1885.	Number of petitions filed during 1886	Number of persons.	Total number of persons	Result.							
				Personal discharge granted.	Final discharge granted.	Adjudicated insolvent.	Dismissed.	Rejected.	Withdrawn.	Struck off in default or annulled.	Pending.
30	40	48	78	40	8	8	8	2	2	...	15

The total revenue of the Court during the year was Rs. 60,942-4-0 and the expenditure was Rs. 90,727-1-7.

The following table gives in detail the receipts and expenditure for the year 1886:—

Receipts.	Rs.	A.	P.	Expenditure.	Rs.	A.	P.
Amount realized by court-fee stamps.	60,743	4	0	Recorder	31,523	7	1
Amount realized by fines	100	0	0	Additional Recorder	29,082	8	11
Amount of stamp penalty	99	0	0	Clerks	25,403	7	8
Amount realized by the sale of empty stationery cases.	.....			Servants	1,464	0	0
				Contingencies			
				Travelling allowance of officers ...	.....		
				Travelling allowance of establishment...	.....		
Excess of expenditure over receipts.	29,784	13	7	Purchase of books and periodicals ...	356	12	0
				Service postage stamps ...	80	0	0
				Telegram	5	5	0
				Fees to interpreters	5	0	0
				Purchase of furniture	200	8	0
				Rents, rates, and taxes ...	432	0	0
				Miscellaneous	626	12	0
				Peons' clothing	60	0	0
				Process-serving Establishment.			
				One-third of bailiff's salary and two peons, the remainder being charged to the Small Cause Court. ...	1,581	15	4
Total ...	90,727	1	7	Total ...	90,727	1	7

THE COURT OF SMALL CAUSES.

THERE were 4,965 regular and 3,803 miscellaneous suits instituted during the year 1886, making a total of 8,768 suits.

The number of suits of all kinds filed in 1885 was 9,743, so that there was a decrease in 1886 of 975 cases in all, of which 787 were regular and 188 miscellaneous.

There were 923 plaints filed in Burmese before the Second Judge in 1886.

The total value of the suits instituted in 1886 was Rs. 4,85,311-4-7, being a decrease on the previous year of Rs. 1,40,925-6-10. The average amount at issue in each suit was Rs. 97-11-11, that in 1885 was Rs. 108-14-0. Nine thousand two hundred and seventy-two suits of both classes were disposed of. The First Judge disposed of 2,647 regular and 2,769 miscellaneous suits, making a total of 5,416, while the Second Judge disposed of 2,646 regular and 1,030 miscellaneous, making a total of 3,676.

The First Judge disposed of 757 contested cases, the average duration of which was 53·81 days; and 1,890 uncontested cases, the average duration being 32·62 days.

The Second Judge disposed of 651 contested and 1,995 uncontested cases, the average duration being 52·43 and 36·78 days respectively.

The number of suits pending at the close of the year was 400 regular and 124 miscellaneous, making a total of 524.

The number pending at the close of 1885 was 588 regular and 172 miscellaneous, making a total of 760.

There were 2,629 applications to execute decrees in 1885.

There were 32 applications filed under Chapter XX of the Code of Civil Procedure and 37 in 1885.

There were 1,304 miscellaneous applications other than applications for execution of decrees filed in 1886. In 1885 there were 1,505 such applications filed. The value of court-fee stamps used was Rs. 46,080-9-0, showing a decrease on the previous year of Rs. 5,906-5-0.

The financial statement which follows shows an excess of receipts over expenditure of Rs. 20,251-7-10.

The following is a statement of receipts and expenditure for the year 1886:—

Receipts.	Amount.			Expenditure.	Amount.		
	Rs.	A.	P.		Rs.	A.	P.
Amount realized by stamps on institution.	40,090	11	0	First Judge's pay	7,919	8	10
				Second Judge's pay	6,000	0	0
Tullubana fund collected in cash up to 31st May 1886.	4,375	8	0	Establishment	13,321	11	10
				Contingencies	853	10	0
Tullubana fund collected in stamps from 1st June 1886.	5,989	14	0	Two-thirds share of bailiff's pay...	.....		
Fines	49	8	0	Two-thirds share of the head peon's pay and pay of eight peons of the bailiff's establishment debited to this Court by direction of the Recorder of Rangoon.	2,912	0	0
Stamp penalty levied on insufficiently stamped documents.	606	0	0				
By sale of unserviceable furniture	140	10	0				
By sale of empty stationery cases	0	9	0				
Fine recovered from Tamil interpreter.	5	0	0				
Amount paid into Bank of Bengal, being excess amount passed by Comptroller on establishment bill for October 1886.	0	5	6		31,006	9	8
				Balance of receipts over expenditure.	20,251	7	10
Total ...	51,258	1	6	Total ...	51,258	1	6

In December 1885 Mr. Lingham was granted 18 months' leave on medical certificate, and Maung Ba Wa, the Second Judge, performed his duties in addition to his own from the 1st to the 19th January 1886, when Mr. William Bigge was appointed officiating Judge. During the year under review Mr. MacEwen officiated as Recorder from the 16th to the 25th January, and Mr. Fox officiated as Additional Recorder from the 1st to the 16th January 1886, and I assumed charge of the duties of the Recorder from the 26th January to the 5th March, when I proceeded to officiate in the High Court, and Mr. MacEwen officiated as Recorder from the 6th March, and Mr. Fox officiated as Additional Recorder from the 29th March, and both continued in their respective offices for the remainder of the year.

RANGOON :
The 6th June 1887.

W. F. AGNEW,
Recorder.

PART II.

Courts under the Supervision of the Judicial Commissioner.

From W. F. MERES, Esq., Officiating Judicial Commissioner, Lower Burma, to the Secretary to the Chief Commissioner, Burma,—No. 3028., dated the 15th July 1887.

I BEG to forward herewith the statements relating to civil justice in 1886 in my Court and in the Courts subordinate to my Court.

Following the practice introduced last year the statements exhibit the civil judicial work of all the Courts in the province including the Special Court and the town of Rangoon. The Special Court and the Courts in the town of Rangoon are dealt with in separate reports. The present report therefore only deals with my own Court and those outside the town of Rangoon including the Arakan Hill Tracts.

2. This report is submitted late. The delay has not arisen in my own office. Some of the district returns were found to be very inaccurate, involving correspondence and delay. I believe that this is largely due to the great pressure of administrative cares, which have occupied the time and attention of the District Officers and of their subordinates in the Irrawaddy and Salween valleys throughout the year under review. That pressure, though now somewhat reduced, has not yet passed away. It is dealt with more fully in my Criminal Justice Report for 1886.

In the case of the Pegu district the delay in submitting the returns to this office has been brought to the notice of the Chief Commissioner.

3. *The Court of the Judicial Commissioner.*—No original suits were disposed of during the year in this Court.

4. *Civil Courts subordinate to the Judicial Commissioner.*—The total number of suits instituted in each year since 1880 are as follows :—

1880	...	...	...	...	...	27,530
1881	...	...	...	...	...	27,675
1882	...	...	...	...	...	28,215
1883	...	...	...	...	...	28,906
1884	...	...	...	...	...	30,148
1885	...	...	...	...	...	27,961
1886	...	...	...	...	...	27,286

In my report for 1885 I explained that the figures for that year were defective owing to the disturbances in the Shwegyin district, involving the destruction of the records of four Courts; and I showed that the institutions for that year were probably nearly 29,000. The apparent falling-off of institutions in 1886 is 675 cases, but the actual falling-off is probably not less than 1,700 cases.

The Arakan division was outside the disturbed area. There the institutions show a slight increase of 108 cases. This increase occurred mainly in one Court, that of the Deputy Commissioner of the Hill Tracts, and is attributed to the Deputy Commissioner remaining longer than usual at headquarters.

The Tenasserim division includes the districts of Shwegyin and Toungoo, which were the scene of the principal *quasi*-insurrection of the year. The institutions at Shwegyin compared with those of 1885 show an apparent increase of 587 cases. This is due to the destruction of the records of four Courts in 1885, involving an estimated loss of about 1,000 cases. There is, therefore, a falling-off of about 400 regular suits in this district in 1886. In Toungoo the regular institutions were 107 less than in 1885. The Small Cause Courts at the headquarters of these two districts did about as much business in 1886 as in the previous year. In the remainder of the Tenasserim division the institutions were about the same as in previous years.

5. The following table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files

at the close of the year as compared with similar results for the preceding year :—

Division.	Name of district.	Instituted.		Disposed of.		Pending at close of year.			
						Above four months.		Total pending.	
		1885.	1886.	1885.	1886.	1885.	1886.	1885.	1886.
Arakan.	Akyab	1,597	1,445	1,598	1,509	1	1	67	16
	Akyab Small Cause Court	435	497	437	508	...	...	3	5
	Kyaukpyu	609	706	609	705	...	...	10	11
	Sandoway	304	267	308	267	...	...	5	6
	Northern Arakan	95	223	97	209	...	...	...	14
	Total	3,030	3,138	3,039	3,198	1	1	85	52
Pegu.	Hanthawaddy	908	903	988	961	1	...	21	15
	Pegu	1,825	1,501	1,877	1,509	...	...	56	40
	Pegu Small Cause Court	45	45	39	51	...	...	6	...
	Tharrawaddy	2,089	1,717	2,149	1,715	...	...	45	53
	Tharrawaddy Small Cause Court	...	...	...	...	...	...	...	...
	Prome	1,720	1,808	1,687	1,859	...	...	91	41
	Prome Small Cause Courts	507	207	511	210	...	...	3	...
	Judicial Commissioner, Lower Burma	...	...	12	...	...	...	...	...
	Total	7,083	6,321	7,213	6,404	1	...	222	149
Irrawaddy.	Henzada	1,920	1,019	1,829	994	...	...	22	46
	Henzada Small Cause Courts	635	785	631	701	...	...	14	7
	Bassein	2,655	2,919	2,653	2,886	1	...	61	96
	Bassein Small Cause Courts	861	653	856	649	...	...	6	7
	Thôngwa	3,170	3,364	3,208	3,360	10	...	71	77
	Thayetmyo	1,301	1,103	1,276	1,156	...	...	79	32
	Thayetmyo Small Cause Court	156	164	161	165	...	...	1	...
	Commissioner of Irrawaddy	...	...	1	...	...	...	...	...
	Total	10,508	10,007	10,615	10,001	11	...	254	265
Tenasserim.	Amherst	1,510	1,553	1,515	1,558	...	...	33	30
	Amherst Small Cause Court	...	34	...	33	...	...	...	1
	Shwegyin	487	1,074	514	1,066	...	...	17	35
	Shwegyin Small Cause Courts	206	345	194	355	...	...	14	4
	Tounngoo	603	556	576	542	...	...	11	27
	Toungoo Small Cause Court	586	549	573	502	...	...	20	6
	Tavoy	540	536	540	539	...	...	13	10
	Mergui	543	537	548	544	...	...	10	10
	Salween	56	56	57	55	1	..	1	2
	Moulmein Judge's Court	136	118	128	113	8	15	25	30
	Moulmein Small Cause side	2,514	2,462	2,455	2,420	6	12	174	223
	Total	7,250	7,820	7,209	7,787	15	27	318	378
	Grand Total	27,901	27,286	28,076	27,390	28	28	879	844
	Increase	...	...	...	...	...	...	...	...
	Decrease	...	675	...	686	...	...	...	35

The increase and decrease of institutions in the different districts in the year are shown below :—

Division.	Name of district.	Increase.		Decrease.	
		Instituted.	Disposed of.	Instituted.	Disposed of.
Arakan.	Akyab	...	52	20	...
	Kyaukpyu	87	86	...	...
	Sandoway	...	...	37	41
	Northern Arakan	128	112	...	...
	Total ...	108	159	...	...
Pegu.	Hanthawaddy	50	23	...	...
	Pegu...	...	...	284	257
	Tharrawaddy	...	...	366	434
	Prome	...	...	212	129
	Judicial Commissioner, Lower Burma	...	...	...	12
	Total ...	...	...	702	809
Irrawaddy.	Henzada	...	...	651	675
	Bassein	56	26	...	...
	Thôngwa	194	152	...	...
	Thayetmyo	...	...	190	116
	Commissioner of Irrawaddy	...	...	...	1
	Total ...	...	...	591	614
Tenasserim.	Amherst	77	76	...	...
	Shwegyin	726	718	...	...
	Toungoo	...	...	144	145
	Tavoy	...	...	13	10
	Mergui	...	...	6	4
	Salween	...	...	...	2
	Moulmein	...	...	70	50
	Total ...	570	578	...	...
	Grand Total ...	...	...	675	686

I give below, for what they are worth, some of the suggestions of District Officers as to the causes of fluctuations in institutions.

The Deputy Commissioner of the Arakan Hill Tracts says:

"The increase in the number of suits is doubtless owing to the fact of the Court sitting throughout the year as against only half the previous year.

"The suits were chiefly between Khamis, the others being between Natives of India and the several different races of hill people."

The Deputy Commissioner of Prome writes:

"There has been on the whole an increase in the value of suits instituted in the district, the figures being for the years 1885 and 1886 respectively Rs. 1,38,595 and Rs. 1,43,063.

"This increase is due almost entirely to the very large addition to the value of suits in the Prome Courts, suits for heavy amounts by Chetties having been numerous."

The Deputy Commissioner of Pegu writes:

"The decrease of suits being pretty even all over the district, I am not inclined to attribute it in a very large degree to the rebellion. I am at a loss to fully account for the decrease."

The Deputy Commissioner of Tharrawaddy writes:

"There is a considerable falling off in the number of regular cases instituted.

"There is a corresponding decrease in the receipts. It is probable that the number of cases instituted fell off on account of the disturbed state of the district."

The Deputy Commissioner of Henzada thinks:

"The decrease is owing to the recent disturbances."

The Deputy Commissioner of Thôngwa writes:

"The increase in Thôngwa is chiefly due to a greater number of paddy transactions, as paddy cultivation has increased rapidly in Ma-ubin island since the construction of the embankment."

The Deputy Commissioner of Bassein writes:

"The year was an exceptional one from the disturbances in the district by which the whole was affected. Money was scarce and trade reduced, but that the number of suits has not varied is to be attributed to pressure on creditors and not to increased trade transactions."

Taken as a whole the institutions given above for the last seven years show that the Burmese are not a litigious people. The country has recently passed through a time of trial, but I believe this troublous time will be found to have had but little permanent influence on the prosperity of the province. I know no country in which the national wealth is more evenly divided than in Burma. Nowhere is the peasantry more prosperous than here. In my tours during the past two years I have everywhere seen substantial houses, well-fed, well-dressed, healthy people, and other unmistakable signs of prosperity. The cultivation of the rice crop hardly occupies the people for more than five months in the year and much of that labour is done by coolies from Madras. Outside the coast towns professional beggars are hardly to be seen. The milk of the Swiss cantons and the savoury messes of Western *cuisine* are largely imported for the use of Burmese agricultural labourers. The Burman loves pleasure and is careless of the future.

The national character and sufficient means, I think, are some of the causes which lead this light-hearted prosperous people to shun the troubles of litigation. As soon as the population begins to press upon the soil, as the Burmese get deeper into the hands of the Madrassi and Chinese money-lenders, then we may expect to see that growth of litigation which is the resultant of similar forces working in India and elsewhere.

6. The following table shows the character of the original litigation in the different districts and classes of Courts :—

Division.	Name of district.	Number of suits														
		On written obligation.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.	Total.
Arakan.	Akyab	655	215	13	24	48	53	108	194	105	70	2	24	25	1,445
	Akyab Small Cause Court.	175	141	...	7	97	20	8	31	18	...	...	...	...	497
	Kyaukpyu	109	118	15	30	74	45	10	104	66	63	2	19	27	706
	Sandoway	38	69	2	2	23	13	12	20	32	32	..	6	7	297
	Northern Arakan ...	1	1	...	121	36	5	...	17	10	7	...	19	5	223
	Total ...	978	544	30	190	278	136	138	376	231	201	4	67	63	3,138
Pegu.	Hanthawaddy ...	241	167	8	17	100	57	25	224	45	12	26	21	10	953
	Pegu	616	435	21	27	101	68	47	152	50	31	2	32	9	1,591
	Pegu Small Cause Court.	10	7	3	4	5	4	...	1	11	...	...	...	...	45
	Tharrawaddy ...	306	300	1	27	249	72	4	226	345	74	1	31	20	1,717
	Tharrawaddy Small Cause Court.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Prome	667	307	11	70	241	62	44	28	149	68	...	62	35	1,906
	Prome Small Cause Courts.	11	74	1	4	20	6	...	80	9	...	...	...	...	207
	Judicial Commissioner, Lower Burma.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	1,851	1,290	45	149	716	271	121	846	508	185	29	146	74	6,321
Irrawaddy.	Henzada	182	105	8	105	47	23	3	127	280	68	...	58	13	1,010
	Henzada Small Cause Courts.	200	205	2	48	190	21	20	71	18	...	...	...	...	785
	Bassein	402	477	25	73	443	141	107	420	478	117	...	111	65	2,910
	Bassein Small Cause Courts.	167	118	25	15	211	3	58	30	25	1	...	...	...	653
	Thôngwa	788	792	7	80	700	217	22	220	278	86	2	76	20	3,364
	Thayetmyo	238	208	4	2	106	21	7	140	107	45	1	27	7	1,103
	Thayetmyo Small Cause Court.	47	9	...	13	75	9	..	...	...	11	...	...	...	164
	Commissioner of Irrawaddy.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	2,084	1,914	71	845	1,931	435	227	1,008	1,274	328	3	282	105	10,007
Tenasserim.	Amherst	200	318	24	60	139	130	28	235	42	93	2	28	49	1,553
	Amherst Small Cause Court.	14	15	...	...	2	...	...	1	2	...	...	...	...	34
	Shwegyin	324	199	16	9	173	30	10	191	28	23	...	25	37	1,074
	Shwegyin Small Cause Courts.	50	91	2	...	107	37	10	17	31	...	...	...	...	345
	Toungoo	101	81	17	18	54	12	20	92	46	24	1	19	11	556
	Toungoo Small Cause Courts.	307	32	12	34	60	17	28	48	1	...	...	...	1	549
	Tavoy	80	80	13	37	134	32	2	62	20	52	...	13	11	536
	Mergui	48	46	6	224	105	22	9	18	28	14	...	8	9	537
	Salween	23	2	...	...	12	2	5	1	2	...	...	2	...	56
	Moulmein Judge's Court.	32	2	1	2	1	1	...	4	2	10	2	3	53	118
	Moulmein Small Cause side.	1,896	175	48	60	405	231	91	80	8	...	...	...	20	2,462
	Total ...	2,776	1,048	130	450	1,201	523	203	749	216	216	5	103	191	7,820
	Grand Total ...	7,589	4,796	285	1,134	4,126	1,365	689	2,079	2,319	930	41	598	435	27,286
	In 1885 ...	7,095	4,565	265	1,490	4,156	497	610	2,999	2,288	1,062	39	603	2,192	27,961
	Increase ...	494	231	...	...	...	868	79	...	31	...	2	...	...	...
	Decrease ...	...	...	80	356	30	...	...	20	...	132	...	5	1,757	675

Much of the fluctuations shown in this table in the variety of the nature of suits is due to increased care in classification. Detailed enquiries have been made as to the nature of those classed as "other suits," with the result that the irreducible balance, which in 1885 appeared as 2,192 cases, has been brought down in 1886 to 435 cases. A large number of the cases formerly shown as unclassified now appear as breaches of contract.

The most important class of suits is that for immoveable property; the institutions in this class since 1878 are shown below :—

1878	...	...	...	...	...	1,804
1879	...	...	...	...	...	1,684
1880	...	...	...	...	...	1,070
1881	...	...	...	...	...	1,286
1882	...	...	...	...	...	1,045
1883	...	...	...	...	...	930
1884	...	...	...	...	...	1,039
1885	...	...	...	...	...	1,062

I am not able to state the area of new land brought under cultivation in these eight years, but it must be very large as, in spite of the rapid growth of population, the exports of rice have grown from 805,883 tons in 1878-79 to 1,055,710 tons in 1885-86. A large part of the suits for immoveable property are between Burmans and are based upon claims to inherit ancestral estates. Very few cases have come to my notice of foreign money-lenders seeking relief in this class of suit. If, as is sometimes asserted, the margin of the area within which rice may be profitably cultivated in the lower province is being approached, a steady increase in this class of suit may be looked for.

There seems to be a growing tendency to reduce contracts to writing. As might be expected suits on this class of obligation are most common in the towns of export and in the principal rice-growing districts. As nearly the whole of the export business is worked on a system of small advances, I think the number of suits in relation to the vast amounts of capital involved is surprisingly small, and that this is good evidence of the honourable manner in which Burmans meet their business engagements. Matrimonial suits remain nearly stationary. The other classes of suits in this table do not call for special notice.

7. The table below shows the value of original suits :—

Division.	Name of district.	Number of suits instituted valued at not exceeding									Total value of suits.
		Rs. 10.	Rs. 50.	Rs. 100.	Rs. 500.	Rs. 1,000.	Rs. 5,000.	Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	
											Rs. A. P.
Arakan.	Akyab	142	585	237	384	45	29	1	1	21	1,99,542 5 9
	Akyab Small Cause Court ..	117	269	111	..	..	..	..	..	..	16,103 8 8
	Kyaukpyu	198	323	100	68	3	2	..	..	12	36,287 2 1
	Sandoway	94	122	26	23	..	..	1	..	1	10,615 4 6
	Northern Arakan ..	42	98	42	36	2	..	..	..	3	12,921 13 9
	Total ..	593	1,397	516	511	50	31	2	1	37	2,75,500 2 9
Pegu.	Hanthawaddy	72	323	312	191	19	11	1	1	23	1,13,109 15 11
	Pegu	97	460	484	450	41	17	..	..	22	3,21,276 6 4
	Pegu Small Cause Court ..	21	24	..	..	..	..	..	..	..	1,128 1 9
	Tharrawaddy	237	864	364	200	5	3	..	..	44	95,577 12 9
	Tharrawaddy Small Cause Court.	..	..	..	..	..	..	..	..	..	....
	Prome	308	745	386	302	10	12	5	3	37	1,39,259 8 6
	Prome Small Cause Courts ..	72	135	..	..	..	..	..	..	..	3,803 7 6
	Judicial Commissioner, Lower Burma.	..	..	..	..	..	..	..	..	..	....
	Total ..	807	2,571	1,546	1,143	75	43	6	4	126	6,74,155 4 9
Irrawaddy.	Henzada	140	374	256	178	1	1	1	..	68	74,114 13 9
	Henzada Small Cause Courts	151	406	137	91	..	..	..	..	..	33,257 15 7
	Bassein	449	1,115	657	531	42	22	3	2	93	3,21,861 9 8
	Bassein Small Cause Courts..	179	397	77	..	..	..	..	..	..	16,184 12 6
	Thôngwa	568	1,333	659	682	29	6	..	..	87	2,61,380 5 7
	Thayetmyo	261	488	202	104	5	3	..	..	40	54,688 13 3
	Thayetmyo Small Cause Court	53	76	28	7	..	..	..	..	..	4,353 2 3
	Commissioner of Irrawaddy..	..	..	..	..	..	..	..	..	..	....
	Total ..	1,801	4,189	2,016	1,593	77	32	4	2	293	7,65,836 8 7
Tenasserim.	Amherst	223	684	317	291	16	4	1	..	17	1,38,559 4 6
	Amherst Small Cause Court..	5	29	..	..	..	..	..	..	..	929 0 7
	Shwegyin	184	257	318	284	49	12	..	..	25	1,11,919 14 10
	Shwegyin Small Cause Courts	78	267	..	..	..	..	..	..	..	17,922 3 2
	Toungoo	79	198	70	136	26	20	1	1	25	1,43,313 1 6
	Toungoo Small Cause Courts	84	285	117	113	..	..	..	..	..	35,170 0 5
	Tavoy	139	270	67	52	4	1	..	..	3	27,886 8 7
	Mergui	72	271	93	81	6	4	..	..	10	41,405 0 5
	Salween	2	24	9	17	1	1	..	..	2	8,701 15 4
	Moulmein Judge's Court ..	..	..	1	28	11	57	3	10	8	3,70,075 15 0
	Moulmein Small Cause side..	385	1,144	446	479	58	..	..	..	..	2,02,703 7 0
	Total ..	1,151	3,379	1,433	1,481	171	99	5	11	90	10,88,536 7 4
	Grand Total ..	4,352	11,536	5,511	4,798	373	205	17	18	546	28,04,028 7 5
	In 1885 ..	4,605	11,941	5,733	4,460	381	239	33	14	555	32,16,239 2 2
	Increase ..	..	..	..	338	..	..	..	4	..	....
	Decrease ..	253	405	222	..	8	34	16	..	9	4,12,210 10 9

In the Arakan division the total value of suits has fallen from Rs. 5,18,399 to Rs. 2,75,500 in 1886. The figures for 1885 were abnormally increased by four heavy suits in the Kyaukpyu district. The figures for 1886 more nearly approach those of previous years. In the Pegu division the total value of suits is nearly the same as in 1885.

In the Irrawaddy division the value of suits has fallen from Rs. 10,02,734 in 1885 to Rs. 7,65,836 in 1886. This reduction is most marked in the districts of Bassein and Henzada, which account for about Rs. 2,16,000 of the difference.

In the Tenasserim division the value of the institutions is very nearly the same as in 1885.

Nearly 78 per cent. of the whole of the suits instituted in 1886 did not exceed Rs. 100 in value and were of a very simple character. The hotly contested land suits involving masses of evidence on the question of possession and the identification of boundaries, which are familiar to all Civil Judicial Officers in Bengal, are almost unknown here, and probably they will rarely arise when the admirable survey now in progress is completed.

8. The manner in which the litigation was disposed of in the several Courts is shown below :—

Division.	Name of district.	Number of cases brought on the file, including pending from last year.	Transferred.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested cases. Judgment for plaintiff in whole or in part.	Contested cases. Judgment for defendant.	Total disposed of.	Pending.	Referred to arbitration.
Arakan.	Akyab	1,595	...	2	212	84	243	231	208	85	319	149	1,509	16	3
	Akyab Small Cause Court ...	513	...	...	101	2	44	71	128	1	123	38	508	5	...
	Kyaukpyu	716	1	1	103	27	69	75	40	15	247	106	705	11	...
	Sandoway	273	...	...	90	3	53	46	19	2	55	49	267	6	...
	Northern Arakan... ...	223	...	7	32	6	39	50	27	...	35	19	209	14	4
	Total ...	3,250	1	10	478	72	458	483	512	53	781	363	3,198	52	7
Pegu.	Hanthawaddy	976	2	2	287	6	46	189	75	3	270	81	961	15	2
	Pegu	1,648	6	3	435	3	81	323	235	11	365	148	1,608	40	6
	Pegu Small Cause Court ...	51	...	...	0	...	3	9	7	...	19	7	51	...	...
	Tharrawaddy	1,768	5	...	484	18	111	189	107	7	524	215	1,715	53	...
	Tharrawaddy Small Cause Court.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Prome	1,900	7	4	390	36	57	453	200	22	490	196	1,859	41	...
	Prome Small Cause Courts	210	...	1	52	16	3	21	14	...	92	41	240	...	...
	Judicial Commissioner, Lower Burma.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	6,553	20	10	1,654	79	301	1,184	705	43	1,720	690	6,404	149	8
Irrawaddy.	Henzada	1,040	2	...	104	28	75	148	49	70	367	153	994	46	5
	Henzada Small Cause Courts	708	1	3	222	3	61	122	87	1	109	57	701	7	36
	Bassein	2,982	4	7	756	10	165	370	341	30	791	407	2,866	98	9
	Bassein Small Cause Courts	656	...	...	173	7	19	139	95	...	163	53	649	7	...
	Thôngwa	3,437	37	3	1,065	64	133	493	433	7	824	328	3,360	77	10
	Thayetmyo	1,188	1	4	249	41	102	176	117	5	298	170	1,160	28	4
	Thayetmyo Small Cause Court.	105	...	...	5	...	13	57	42	...	36	13	165	...	...
	Commissioner of Irrawaddy	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	10,266	45	17	2,574	153	568	1,530	1,164	113	2,638	1,180	10,001	265	64
Tenasserim.	Amherst	1,588	6	15	158	40	103	307	236	59	452	176	1,558	30	10
	Amherst Small Cause Court	34	...	...	...	...	15	6	4	...	4	2	33	1	...
	Shwegyin	1,101	3	13	96	14	141	344	103	14	247	102	1,006	35	2
	Shwegyin Small Cause Courts.	350	1	...	21	25	37	47	50	6	114	53	355	4	...
	Toungoo	569	1	...	48	8	26	151	50	9	167	72	542	27	2
	Toungoo Small Cause Courts	568	1	...	62	5	19	196	114	...	109	57	562	6	...
	Tavoy	549	...	3	88	17	18	95	29	3	212	74	539	10	...
	Mergui	554	...	3	10	8	41	196	71	...	159	56	544	10	...
	Salween	57	...	...	5	6	...	7	10	...	23	4	55	2	...
	Moulmein Judge's Court ...	143	...	1	2	4	10	1	27	...	56	11	113	30	1
	Moulmein Small Cause side	2,643	1	8	272	15	164	104	980	4	691	197	2,420	223	5
	Total ...	8,155	13	43	702	142	576	1,456	1,668	95	2,234	806	7,727	378	20
	Grand Total ...	28,234	79	80	5,458	446	1,903	4,633	4,044	304	7,364	3,039	27,330	844	99
	In 1885 ...	28,955	18	168	5,605	481	1,940	4,484	4,140	335	7,475	3,437	28,076	879	71

Of the 27,390 cases disposed of during the year only 10,423 came to trial on the merits. Of these the plaintiff succeeded in 7,384 cases. Added to these 4,633 cases were decreed on confession, 4,044 cases were decreed *ex-parte*, and 1,903 cases were compromised. Collecting these figures the plaintiff certainly succeeded in 17,964 cases out of 27,390 cases, and I think it probable that the plaintiff was satisfied in a large proportion of the 5,458 cases which were dismissed for default,

for there were only 117 applications by either party to restore suits to the file, although the total number of suits decreed *ex-parte* and dismissed by default was 9,502. These figures, I think, point to the same conclusion, as do the relatively small number of suits instituted in the province, that the Burmans are not a litigious people.

Of the small number of 117 applications to restore suits to the file only 73 were successful. This is good evidence of the care which is taken by the Courts to ascertain that the notice on the defendant has been duly served. In my tours of inspection this is a matter to which I have given much attention. I have generally been satisfied that service was properly effected. District Officers in their inspection notes bear testimony to the care which their subordinates generally bestow on attempting to bring the defendant before the Court. Every instance which comes to light in which the Court neglected to take formal evidence of service in *ex-parte* cases is strongly commented on and I have reason to know that such cases are rare.

At one time a relatively large number of cases were referred for arbitration to the Chiefs in the Hill Tracts of Arakan. The system does not seem to have been popular and in the year under review references to arbitration were not more numerous there than in other parts of the province.

The average duration of suits in Courts of original jurisdiction was as follows :—

Division.	Name of district.	Average duration of suits.			
		For previous year.		*For year of report.*	
		Contested.	Uncontested.	Contested.	Uncontested.
Arakan.	Akyab	27	18	36	20
	Akyab Small Cause Court	7	8	10	18
	Kyaukpyu	18	9	17	10
	Sandoway	26	16	19	11
	Northern Arakan	8	7	7	9
	Total ...	22	14	23	16
Pegu.	Hanthawaddy	38	18	28	20
	Pegu	41	18	37	18
	Pegu Small Cause Court	22	16	17	18
	Tharrawaddy	36	28	28	20
	Tharrawaddy Small Cause Court	...	...	...	...
	Prome	28	14	25	17
	Prome Small Cause Courts	18	16	17	13
	Judicial Commissioner, Lower Burma	37	31	...	...
	Total ...	32	18	27	18
Irrawaddy.	Henzada	14	10	19	11
	Henzada Small Cause Courts	13	13	16	9
	Bassein	18	12	19	13
	Bassein Small Cause Courts	9	6	6	7
	Thôngwa	28	13	21	16
	Thayetmyo	20	15	15	12
	Thayetmyo Small Cause Court	14	11	14	9
	Commissioner of Irrawaddy	120	...	...	...
	Total ...	19	12	18	13
Tenasserim.	Amherst	23	10	15	9
	Amherst Small Cause Court			14	11
	Shwegyin	10	7	16	7
	Shwegyin Small Cause Courts	12	7	10	11
	Toungoo	27	14	22	9
	Toungoo Small Cause Courts	11	9	12	10
	Tavoy	24	18	21	9
	Mergui	38	14	25	15
	Salween	12	25	14	20
	Moulmein Judge's Court	69	16	94	55
	Moulmein Small Cause side	24	17	34	22
	Total ...	24	13	24	14
	Grand Total ...	24	14	22	15

In spite of the unusual pressure of urgent executive duties upon Judicial Officers during the past year the average duration of suits remains about the same as in 1885. The table shows curious results in some districts. Thus in the Arakan Hill Tracts, in the districts of Tharrawaddy and Salween, and in the Small Cause Courts of Shwegyin, Bassein, and Pegu, uncontested suits were disposed of with less expedition than contested suits. This is in most cases due to difficulties in effecting service of process on defendants. Generally suits have been disposed of with reasonable promptitude, except in the case of uncontested suits in the Moulmein Judge's Court, where the average has risen from 16 days to 55 days.

The officiating Judge offers the following remarks in explanation of this largely increased delay:—

"The number of suits pending at the end of the year increased from 199 to 259. Among these were 118 new suits filed towards the close of the year and 17 suits pending under section 99A of the Civil Procedure Code. The number of pending suits is now larger than before owing to the practice introduced during the year by Mr. Macleod, and now followed by me, of examining the parties under section 117, Civil Procedure Code, before requiring them to produce their witnesses. As a large proportion of cases is contested the number left pending at the end of the year was largely increased by the contested cases, which came on for the first hearing towards the end of the year, and were fixed for trial in January following. This practice, although enlarging the pending file and increasing the average duration, is beneficial to suitors, who in non-contentious cases get a speedy decision and are put to less expense in citing witnesses. This is fully borne out by the fact that, with about the same number of decided cases as in the previous year, there were 1,219 less subpœnas issued (the number in the previous year being 3,515) with the result of a large reduction in the costs."

I approve of the plan adopted by the Judge of examining the parties, but I think his arrangements for the preparation of his cause lists must be faulty. He should arrange to dispose first of his uncontentious suits and, fixing new institutions for an early day, he should transfer those of them to the contested board which become contentious.

I think it is of great importance for the Courts generally to aim at the reduction of avoidable postponements, rather than to reduce the average duration at the expense of obliging the parties to make unnecessary journeys to Court. The disturbed state of some of the districts has often obliged officers to leave the bench in pursuit of dacoits on days fixed for judicial business; but in quieter times it ought to be possible to avoid sending parties and their witnesses away owing to the claims of other duties. I shall not complain of a slight increase of the duration of suits if cases are actually taken up on the dates fixed.

I hope that other Judges will follow the example of the Moulmein Judge in examining the parties whenever possible. I have lost no opportunity of urging officers to adopt this course. It is still very rarely done. I rely upon the assistance of District Officers in this matter.

10. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division.	Name of district.	Number of applications for execution, including those pending from last year.	Decrees completely executed.	Decrees partially executed.	Pending at close of year.
Arakan.	Akyab	584	223	93	20
	Akyab Small Cause Court	130	48	14	...
	Kyaukpyu	196	92	45	17
	Sandoway	65	39	8	1
	Northern Arakan...	29	28	4	...
	Total ...	1,018	425	164	88
Pegu.	Hanthawaddy	308	90	67	16
	Pegu	588	185	140	28
	Pegu Small Cause Court	11	5	1	...
	Tharrawaddy	369	195	63	18
	Tharrawaddy Small Cause Court	...	...	...	...
	Prome	588	289	120	36
	Prome Small Cause Courts	23	6	...	...
	Judicial Commissioner, Lower Burma	...	...	...	...
	Total ...	1,887	720	391	98
Irrawaddy.	Henzada	281	81	86	32
	Henzada Small Cause Courts	114	40	25	6
	Bassein	864	241	159	38
	Bassein Small Cause Courts	155	48	21	4
	Thôngwa	980	278	149	44
	Thayetmyo	231	83	48	8
	Thayetmyo Small Cause Court	57	30	19	...
	Total ...	2,682	796	507	132
Tenasserim.	Amherst	712	280	166	26
	Amherst Small Cause Court	...	...	...	...
	Shwegyin	451	142	158	16
	Shwegyin Small Cause Courts	92	31	19	2
	Toungoo	232	69	66	12
	Toungoo Small Courts	171	45	21	...
	Tavoy	85	52	9	5
	Mergui	194	77	67	8
	Salween	22	15	2	...
	Moulmein Judge's Court	146	22	37	18
	Moulmein Small Cause side	1,152	186	297	101
	Total ...	3,257	869	842	188
	Grand Total ...	8,739	2,810	1,904	446
	In 1885 ...	8,126	2,781	1,756	522

The total number of applications for execution is 613 in excess of the applications in 1885.

The institutions of execution proceedings for the past seven years are as follows :—

1880	6,588
1881	6,724
1882	6,995
1883	7,015
1884	7,617
1885	8,126
1886	8,739

These figures show a more steady increase than those of original suits. I am inclined to believe that this increase is partly due to the influx of Natives of India into Burma.

The numbers of applications are highest where there are large settlements of foreigners. Besides this the pressure of the past year may have made money-lenders more anxious to call in their outstandings. The proportion of applications for execution to decrees passed is lower in Burma than in other parts of India.

Decrees were completely executed in 34 per cent. of the applications. I believe that decrees are settled in many cases which are struck off for want of prosecution. These facts justify the conclusion that the small number of applications is not the result of the inability of the Courts to give effect to their decrees.

11. Processes of execution were issued as follows:—

Division.	Name of district.	Mode of execution.						Orders under section 248, Civil Procedure Code.
		Delivery of possession.	Imprisonment of person.	*Moveable property.*		*Immoveable property.*		
				Attached.	Sold.	Attached.	Sold.	
Arakan.	Akyab	8	17	102	49	54	38	...
	Akyab Small Cause Court	...	12	6	4	1	...	...
	Kyaukpyu	1	3	44	15	41	27	...
	Sandoway	3	3	10	4	11	1	...
	Northern Arakan	...	1	26	2	...	...	...
	Total	12	36	188	74	107	66	...
Pegu.	Hanthawaddy	2	12	67	56	48	29	...
	Pegu	1	21	126	48	95	48	...
	Pegu Small Cause Court	...	...	...	1	..	...	...
	Tharrawaddy	3	...	108	44	79	82	...
	Tharrawaddy Small Cause Court	...	...	...	...	...	...	...
	Prome	7	18	92	55	175	97	...
	Prome Small Cause Courts	...	1	2	1	...	...	...
	Judicial Commissioner, Lower Burma	...	...	...	...	...	...	...
	Total	13	52	395	205	397	206	...
Irrawaddy.	Henzada	...	7	63	52	84	69	...
	Henzada Small Cause Court	1	5	32	12	21	16	...
	Bassein	3	14	153	72	72	48	...
	Bassein Small Cause Courts	...	...	25	10	5	1	...
	Thôngwa	5	...	182	67	108	57	...
	Thayetmyo	...	17	39	18	24	21	...
	Thayetmyo Small Cause Court	...	6	5	5	...	...	...
	Total	9	49	499	236	314	212	...
Tenasserim.	Amherst	9	15	171	71	98	43	...
	Amherst Small Cause Court	...	...	...	...	...	...	...
	Shwegyin	1	42	86	56	78	63	...
	Shwegyin Small Cause Courts	1	6	7	4	5	4	...
	Toungoo	1	2	83	22	57	36	...
	Toungoo Small Cause Courts	...	1	33	16	...	...	...
	Tavoy	1	8	7	2	10	3	...
	Mergui	2	27	14	10	33	18	...
	Salween	...	1	10	...	4	3	...
	Moulmein Judge's Court	...	4	29	25	6	6	...
	Moulmein Small Cause side	...	39	75	59	...	...	...
	Total	15	145	465	265	291	176	...
	Grand Total	49	282	1,547	780	1,109	660	...
	In 1885	75	377	2,198	788	1,513	680	...

Arrests in execution fell from 377 in 1885 to 282 in 1886.

In the Arakan division the figures for both years are about stationary.

The widest differences are in the Irrawaddy division, there being only 49 arrests in 1886 as compared with 123 in 1885. Those arrests are generally asked for in the hope that the relatives of the judgment-debtor will pay the debt. Property, moveable and immoveable, was attached in fewer cases in 1886 than in 1885, while the cases in which sales took place were slightly in excess of the figures for 1885.

The sales of houses and of lands are not separately shown. From such enquiries as I have been able to make I believe that transfers of agricultural holdings by judicial sale are as yet uncommon.

In my report for 1885 I referred to the steps which had been taken in the Bassein district for the application of section 323, Code of Civil Procedure, for the protection of the Karen debtors in that district. No case occurred during the year under review to which this procedure could be applied. The benefits which the introduction of this rule has worked must be looked for in preventing undue pressure of Karen debtors by professional money-lenders. The Sub-divisional Officer, in whose jurisdiction most of the Karens of the Bassein district reside, himself a Karen, reports that decree-holders as well as the Karens are now aware that the Courts are empowered to apply the provisions of section 323, Code of Civil Procedure, and that this circumstance has operated to prevent hard cases to which that section might properly be applied. The Deputy Commissioner and the Divisional Commissioner concur in this view.

I append the reports of the District Officers on this subject.

12. The following table shows the number of persons who applied to be declared insolvent :—

Division.	Name of district.	Number of persons who applied to be declared insolvent.	Number of applications granted.	Number dismissed or rejected.	Total disposed of.	Pending.	Remarks.
Arakan.	Akyab	31	9	7	30	1	14 withdrawn.
	Kyaukpyu	4	1	3	4	...	
	Sandoway	3	...	3	3	...	
	Northern Arakan	1	...	...	...	1	
	Total ...	39	10	13	37	2	14 withdrawn.
Pegu.	Hanthawaddy	1	1	...	1	...	
	Pegu	13	4	7	11	2	
	Thurrawaddy	3	1	1	2	1	
	Prome	3	2	1	3	...	
	Total ...	20	8	9	17	3	
Irrawaddy.	Henzada	24	3	7	10	14	
	Bassein	41	26	4	30	2	9 withdrawn.
	Thôngwa	29	6	2	29	...	21 withdrawn.
	Thayetmyo	4	...	3	4	...	1 withdrawn.
	Total ...	98	35	16	82	16	31 withdrawn.
Tenasserim.	Amherst	5	5	...	5	...	
	Shwegyin	23	9	6	23	...	8 withdrawn.
	Tonugoo	13	11	2	13	...	
	Tavoy	2	...	2	2	...	
	Mergui	8	5	3	8	...	
	Salween	1	1	...	1	...	
	Moulmein	48	16	5	45	3	24 withdrawn.
	Total ...	100	47	18	97	3	32 withdrawn.
	Grand Total ...	257	100	56	233	24	77 withdrawn.

The institutions are within 14 of those of 1885. The bulk of these applications are made by judgment-debtors under arrest as a ready means of escaping imprisonment. Very little property is ever surrendered. Next to nothing is ever discovered at the enquiry. In very few of the cases is there any opposition. With the abolition of imprisonment for debt this class of suit would almost disappear in the rural parts of Burma. The administration of the insolvency provisions of the Civil Procedure Code is altogether unsatisfactory.

Appellate Jurisdiction.

13. The following table shows the number of appeals preferred to the Deputy Commissioner from the decrees of the subordinate Courts and the number in which the decrees appealed against were upheld:—

Division.	Name of district.	Number of appeals preferred.	Number of decrees confirmed.	Number of decrees modified.	Number of decrees reversed.
Arakan.	Akyab	67	45	1	16
	Kyaukpyu	82	43	11	16
	Sandoway	16	10	2	3
	Northern Arakan	...	...	...	...
	Total	165	98	14	35
Pegu.	Hanthawaddy	46	34	1	7
	Pegu	61	39	6	13
	Tharrawaddy	65	45	1	5
	Prome	139	91	3	35
	Total	311	209	11	60
Irrawaddy.	Henzada	67	18	3	6
	Bassein	178	84	13	40
	Thôngwa	152	91	8	45
	Thayetmyo	64	45	2	12
	Total	461	238	26	103
Tenasserim.	Amherst	79	45	3	26
	Shwegyin	49	41	2	2
	Toungoo	36	19	2	7
	Tavoy	95	53	9	26
	Mergui	32	25	1	6
	Salween	1	1	...	...
	Total	292	184	17	67
	Grand Total	1,229	729	68	265
	In 1885	1,480	858	111	330

14. The following table shows the work of the Appellate Courts:—

Division.	Class of Appellate Court and name of presiding Judge.	Number of appeals on the files, including those pending from last year and received by transfer.	Number transferred or dismissed for default.	Number confirmed.	Number reversed or modified.	Number remanded for re-decision by lower Court.	Number left pending: For more than four months.	Number left pending: Total pending.	Average duration of appeals.
Arakan.	Mr. J. K. Macrae, Deputy Commissioner, Akyab ...	67	...	45	17	2	...	3	96
	Mr. A. J. Birks, Deputy Commissioner, Kyaukpyu ...	68	...	43	27	6	...	4	28
	Major C. A. Cresswell, Deputy Commissioner, Sandoway.	2	...	1	1	...	...	...	19
	Mr. A. T. A. Shaw, Deputy Commissioner, Sandoway ...	6	...	2	4	...	...	...	22
	Mr. H. G. Batton, Deputy Commissioner, Sandoway ...	7	...	6	...	1	...	...	16
	Major T. M. Jenkins, Deputy Commissioner, Sandoway	1	...	1	...	...	...	...	37
	Mr. G. D. Burgess, Commissioner of Arakan ...	1	...	...	1	...	...	...	211
	Lieutenant-Colonel G. A. Strover, Commissioner of Arakan.	1	...	...	1	...	...	...	15
	Total ...	167	...	98	51	11	...	7	27
Pegu.	Captain B. A. N. Parrott, Deputy Commissioner, Hanthawaddy.	13	...	10	3	...	...	...	18
	Mr. T. C. Mitchell, Deputy Commissioner, Hanthawaddy.	33	3	24	5	...	...	1	23
	Lieutenant-Colonel G. A. Strover, Deputy Commissioner, Pegu.	7	...	3	4	...	...	...	49
	Mr. T. C. Mitchell, Deputy Commissioner, Pegu ...	5	...	4	1	...	...	...	76
	Mr. A. M. B. Irwin, Deputy Commissioner, Pegu ...	40	1	32	14	1	...	1	24
	Mr. A. H. Hildebrand, Deputy Commissioner, Tharrawaddy.	59	2	39	6	5	...	7	46
	Mr. T. C. Mitchell, Deputy Commissioner, Tharrawaddy.	6	...	6	...	...	...	...	40
	Mr. A. M. B. Irwin, Assistant Commissioner, Paungdé ...	5	...	5	...	...	...	...	286
	Mr. F. C. Gates, Assistant Commissioner, Paungdé ...	42	1	30	11	...	...	...	161
	Lieutenant-Colonel G. Alexander, Deputy Commissioner, Prome.	1	...	1	...	...	...	...	89
	Mr. J. E. Bridges, Deputy Commissioner, Prome ...	7	...	5	2	...	...	...	302
	Captain W. F. H. Grey, Deputy Commissioner, Prome ...	66	...	44	23	...	...	...	288
	Mr. F. S. Copleston, Deputy Commissioner, Prome ...	18	...	6	3	1	...	8	34
	Colonel C. W. Street, Commissioner of Pegu ...	3	...	2	1	...	...	...	55
	Total ...	314	7	211	72	7	...	17	120
Irrawaddy.	Mr. H. G. Batton, Assistant Commissioner, Henzada ...	3	...	3	...	...	...	...	68
	Mr. A. E. Hurry, Assistant Commissioner, Henzada ...	1	...	1	...	...	...	...	7
	Mr. B. Houghton, Assistant Commissioner, Henzada ...	12	...	7	5	...	...	...	10
	Major J. Butler, Deputy Commissioner, Henzada ...	51	...	7	4	...	...	40	44
	Colonel W. W. Pemberton, Deputy Commissioner, Thôngwa.	11	1	5	5	...	...	...	23
	Captain W. F. H. Grey, Deputy Commissioner, Thôngwa.	63	...	38	24	1	...	...	27
	Mr. C. J. A. Duke, Deputy Commissioner, Thôngwa ...	15	...	7	8	...	...	...	24
	Major C. B. Cooke, Deputy Commissioner, Thôngwa ...	63	...	41	16	...	...	6	49
	Mr. D. L. M. Mackay, Assistant Commissioner, Bassein...	130	...	67	47	...	...	16	70
	Mr. H. L. St. Barbe, Deputy Commissioner, Bassein ...	3	...	2	1	...	...	...	33
	Colonel W. W. Pemberton, Deputy Commissioner, Bassein.	45	...	15	5	...	...	25	60
	Captain F. D. Raikes, Deputy Commissioner, Thayetmyo.	9	...	7	2	...	...	...	22
	Major C. A. Cresswell, Deputy Commissioner, Thayetmyo.	55	...	38	12	4	...	1	20
	Mr. G. J. S. Hodgkinson, Commissioner of Irrawaddy ...	1	...	...	1	...	...	...	99
	Total ...	462	1	238	130	5	...	88	44
Tenasserim.	Mr. H. Buckle, Deputy Commissioner, Amherst ...	79	2	45	29	3	...	...	11
	Mr. G. L. Weidemann, Deputy Commissioner, Shwegyin.	49	...	41	4	2	...	2	13
	Mr. F. S. Copleston, Deputy Commissioner, Toungoo ...	4	...	2	2	...	...	...	10
	Lieutenant-Colonel W. G. Hughes, Deputy Commissioner, Toungoo.	32	1	17	7	3	1	4	46
	Mr. C. J. A. Duke, Deputy Commissioner, Tavoy ...	46	1	20	23	3	...	...	11
	Mr. W. C. Midwinter, Deputy Commissioner, Tavoy ...	49	...	33	13	1	1	2	11
	Mr. K. G. Burne, Deputy Commissioner, Mergui ...	32	...	25	7	...	...	...	22
	Mr. F. S. Stowell, Deputy Commissioner, Salween ...	1	...	1	...	...	...	...	247
	Colonel W. C. Plant, Commissioner of Tenasserim ...	6	...	1	...	...	1	5	52
	Total ...	298	4	185	84	12	3	13	17
	Grand Total ...	1,241	12	732	337	35	3	125	55
	In 1895 ...	1,495	14	867	443	41	53	130	28

In some of the Courts the duration of appeals is unduly high.

In the Court of the Commissioner of Arakan one case was pending 211 days. Some part of the delay was due to a reference having been made to this Court.

In the Prome district the delay is attributed to the illness of the Deputy Commissioner, Colonel Alexander, who was invalided home, and to the disturbed state of the district. In the Paungdè subdivision the explanation offered is the frequent changes of the Subdivisional Officers. I am aware that Paungdè was one of the centres of the disturbed districts.

In Myanaung subdivision the average of 68 is explained as attributable to press of work under the Burma Gaols Delivery Act and to frequent expeditions in pursuit of dacoits.

In the Court of the Commissioner of Irrawaddy there was one appeal which was pending 99 days owing to the applications of Rangoon Advocates for postponements.

In the Court of the Commissioner of Pegu the average of 55 days is explained as partly due to the absence of the Judge on Sessions duty and partly to the applications of parties and Advocates for adjournments.

In the Bassein District Court the average duration was 59 days; it was 70 days in the Court of the Assistant Commissioner. The Deputy Commissioner, Colonel Pemberton, was much engaged in criminal and executive business, as was also the Assistant Commissioner. One case was pending in the Salween Hill Tracts for 247 days. One Deputy Commissioner in charge of this district lost his life of fever during the year. His successor was employed in dealing with dacoits. The case was finally disposed of by the third Deputy Commissioner, who joined the district within the year.

On the whole the averages are much higher than in the previous year. Although this is much to be regretted, I think the delays were unavoidable, being generally due to the pressure of urgent criminal business.

Some Courts continue to show an undue readiness to disturb findings of fact by Courts of first instance. This is notably the case in the districts of Prome, Bassein, Thôngwa, Amherst, and Tavoy. It has been my duty in some cases to restore the decrees of the Courts of first instance.

Many of the Native Judges know less of the civil procedure than they ought to do; they often forget upon which party the onus lies; they often frame cumbrous and involved issues, sometimes going beyond the real questions in suit; they admit much hearsay and irrelevant matter; but in spite of all this, when they really attempt to master a case, they see what the facts of the dispute really are, and their knowledge of the language and of the national character generally leads them near the truth. The ascertainment of the facts is the really difficult part of every trial. The application of the law is a comparatively easy task. As the Burman Judges gain experience they are more successful in this. On many occasions I have had to explain to Appellate Judges that, until it is clear that the original Court has gone wrong, they ought not to interfere with findings of fact by Judges who have heard the evidence and have seen the witnesses.

The number of appeals has slightly risen in Akyab and Kyaukpyu; elsewhere the institutions are lower than in 1885.

The number of appeals in comparison with the number of appealable decrees is small and justifies the conclusion that the orders of the original Courts are generally acceptable to the suitors.

15. The following table shows the appeals preferred from the decrees of the Deputy Commissioners to Commissioners in original suits :—

Division.	Name of district.	Number of decrees passed by Deputy Commissioners in original cases.	Number of decrees confirmed by Commissioners on appeal.	Number of decrees modified.	Number of decrees reversed.
Arakan.	Akyab	10	..	...	2
	Kyaukpyu	2	...	...	...
	Sandoway	1	...	...	...
	Northern Arakan	135	...	...	...
	Total ...	148	...	...	2
Pegu.	Hanthawaddy	18	2	...	1
	Pegu	...	...	...	...
	Tharrawaddy	...	...	...	...
	Promo	4	...	...	...
	Total ...	22	2	...	1
Irrawaddy.	Henzada	1	...	...	...
	Bassein	5	...	...	1
	Thôngwa	3	...	...	...
	Thayetmyo	...	...	...	...
	Total ...	9	...	...	1
Tenasserim.	Amherst	5	1	...	...
	Shwegyin	...	...	...	...
	Toungoo	3	...	...	...
	Tavoy	...	...	...	...
	Mergui	10	...	...	...
	Salween	3	...	...	...
	Total ...	21	1	...	...
	Grand Total ...	200	3	...	4
	In 1885 ...	158	9	...	2

The increase is due to the larger number of suits tried by the Deputy Commissioner of the Arakan Hill Tracts. Most of these are of a very petty character and elsewhere would be tried by a Myoôk. In all the other districts the original civil work of Deputy Commissioners is very light.

16. The following table shows the financial results of the rules framed under section 20 of the Court-fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Courts :—

Division.	Name of district.	Number of processes issued.	Receipts from process-fees.	Charges, including salaries of process-servers, contingencies, &c.
			Rs. A. P.	Rs. A. P.
Arakan.	Akyab	8,070	6,087 11 0	8,248 15 6
	Kyaukpyu	3,585	2,936 8 0	2,684 8 8
	Sandoway	1,013	917 0 0	1,220 10 0
	Northern Arakan	288	...	...
	Total ...	12,865	10,841 3 0	12,104 2 2
Pegu.	Hanthawaddy	3,323	3,445 4 0	3,717 5 0
	Pegu	7,998	5,630 8 0	3,527 8 0
	Tharrawaddy	6,451	5,385 0 0	4,894 7 6
	Prome	7,150	6,434 6 0	6,007 7 0
	Total ...	24,917	20,895 2 0	18,146 11 6
Irra-waddy.	Henzada	7,541	6,007 1 0	5,007 12 0
	Bassein	12,850	10,900 8 0	6,605 12 0
	Thôngwa	10,485	10,088 8 0	6,016 9 8
	Thayetmyo	3,946	3,411 10 0	2,591 9 0
	Total ...	34,822	30,402 11 0	20,221 10 8
Tenasserim.	Amherst	6,646	6,119 8 0	5,847 14 4
	Shwegyin	5,150	4,342 8 0	3,028 3 3
	Toungoo	4,120	3,805 8 0	2,959 8 0
	Tavoy	2,468	1,799 0 0	1,632 0 0
	Mergui	2,389	2,047 8 0	1,528 10 6
	Salween	177	167 0 0	127 0 0
	Moulmein	7,546	8,076 14 0	4,106 1 0
	Total ...	28,491	26,357 14 0	19,229 5 1
	Grand Total ...	101,095	88,496 14 0	69,701 13 5
	In 1885 ...	108,561	98,651 15 0	68,284 15 1

In my report for 1885 I explained in detail the reductions in the charges for the service of process in civil cases which have been sanctioned by the Government of India. The reduced scale was introduced in October last. The financial results will be carefully watched. The gross receipts for the year were Rs. 88,497 and the gross charges were Rs. 69,702, showing a substantial balance of Rs. 18,795.

In three districts—Akyab, Sandoway, and Hanthawaddy—the charges are in excess of the receipts.

I have ascertained that in Akyab this is due to the employment of civil process-servers in revenue business ; and in Hanthawaddy there are two peons in excess of the number required. The necessary instructions have been given.

17. The following table shows the number of regular appeals decided in the Court of the Judicial Commissioner :—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Appeals admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Remanded.	Total disposed of.	Pending.
Arakan.	Mr. J. K. Macrae, Deputy Commissioner, Akyab ...	7	1	...	4	...	...	5	2
	Mr. A. R. Birks, Deputy Commissioner, Kyaukpyu	1	...	...	1	...	...	1	...
	Major C. A. Cresswell, Deputy Commissioner, Sandoway.	2	1	...	1	...	...	2	...
	Mr. G. D. Burgess, Commissioner of Arakan ...	1	...	...	...	...	...	...	1
	Colonel G. A. Strover, Commissioner of Arakan ...	1	...	...	...	...	...	..	1
	Total ...	12	2	...	6	...	...	8	4
Pegu.	Captain B. A. N. Parrott, Deputy Commissioner, Hanthawaddy.	3	1	...	2	...	...	3	...
	Mr. T. C. Mitchell, Deputy Commissioner, Hanthawaddy.	3	3	...	...	...	...	3	...
	Mr. W. deCouroy Ireland, Deputy Commissioner, Pegu.	4	2	...	2	...	...	4	...
	Colonel G. A. Strover, Deputy Commissioner, Pegu	4	1	1	2	...	...	4	...
	Mr. T. C. Mitchell, Deputy Commissioner, Pegu ...	1	1	...	...	...	...	1	...
	Mr. A. M. B. Irwin, Deputy Commissioner, Pegu ...	5	3	...	...	...	...	3	2
	Mr. A. H. Hildebrand, Deputy Commissioner, Tharrawaddy.	12	1	...	7	3	...	11	1
	Mr. F. C. Gates, Assistant Commissioner, Paungdè...	4	...	...	3	...	...	3	1
	Lieutenant-Colonel G. Alexander, Deputy Commissioner. Prome.	1	1	...	...	...	...	1	...
	Captain W. F. H. Grey, Deputy Commissioner, Prome.	6	1	...	1	...	...	2	4
	Colonel C. W. Street, Commissioner of Pegu ...	1	1	...	...	...	...	1	...
	Total ...	44	15	1	17	3	...	36	8
Irrawaddy.	Mr. A. M. B. Irwin, Deputy Commissioner, Henzada	2	...	...	2	...	...	2	...
	Mr. H. G. Batten, Assistant Commissioner, Henzada	1	...	...	1	...	...	1	...
	Mr. H. L. St. Barbe, Deputy Commissioner, Bassein	4	...	...	4	...	...	4	...
	Mr. T. C. Mitchell, Deputy Commissioner, Bassein	2	...	1	1	...	...	2	...
	Colonel W. W. Pemberton, Deputy Commissioner, Bassein.	1	...	...	...	1	...	1	...
	Mr. D. L. M. Mackay, Assistant Commissioner, Bassein.	5	...	...	3	...	...	3	2
	Mr. A. S. Fleming, Assistant Commissioner, Bassein	1	...	...	1	...	...	1	...
	Mr. S. H. T. de la Courneuve, Deputy Commissioner, Thôngwa.	1	1	...	...	...	...	1	...
	Colonel W. W. Pemberton, Deputy Commissioner, Thôngwa.	2	1	...	1	...	...	2	...
	Captain W. F. H. Grey, Deputy Commissioner, Thôngwa.	7	...	1	4	...	...	5	2
	Mr. C. J. A. Duke, Deputy Commissioner, Thôngwa	4	1	...	1	...	...	2	2
	Major C. B. Cooke, Deputy Commissioner, Thôngwa	5	2	...	2	...	...	4	1
	Captain F. D. Raikes, Deputy Commissioner, Thayetmyo.	3	...	...	2	1	...	3	...
	Major C. A. Cresswell, Deputy Commissioner, Thayetmyo.	3	...	...	...	1	...	1	2
	Mr. G. J. S. Hodgkinson, Commissioner of Irrawaddy	1	...	...	1	...	...	1	...
	Total ...	42	5	2	23	3	...	33	9
Tenasserim.	Mr. H. Buckle, Deputy Commissioner, Amherst ...	8	2	1	3	...	...	6	2
	Mr. G. L. Weidemann, Deputy Commissioner, Shwogyin.	4	1	...	2	1	...	4	...
	Lieutenant-Colonel W. G. Hughes, Deputy Commissioner, Toungoo.	6	1	...	5	...	...	6	...
	Mr. C. J. A. Duke, Deputy Commissioner, Tavoy ...	9	2	1	5	...	...	8	1
	Mr. W. C. Midwinter, Deputy Commissioner, Tavoy	1	...	...	...	...	...	...	1
	Colonel W. C. Plant, Commissioner of Tenasserim ...	1	...	...	1	...	...	1	...
	Total ...	29	6	2	16	1	...	25	4
	Grand Total ...	127	28	5	62	7	...	102	25
	In 1885 ...	154	38	8	64	4	2	111	43

18. The following table shows the miscellaneous appeals, *i.e.*, from decisions other than those passed in regular suits disposed of in the Court of the Judicial Commissioner :—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Decision reversed.	Decision modified.	Decision confirmed.	Remanded.	Total disposed of.	Pending.
ARAKAN.	Mr. J. K. Macrae, Deputy Commissioner, Akyab ...	1	...	1	...	2	...
	Total ...	1	...	1	...	2	...
PEGU.	Mr. T. C. Mitchell, Deputy Commissioner, Hanthawaddy.	...	...	1	...	1	...
	M. W. deCourcy Ireland, Deputy Commissioner, Pegu.	...	...	1	...	1	...
	Colonel G. A. Strover, Deputy Commissioner, Pegu ...	...	...	1	...	1	...
	Mr. A. H. Hildebrand, Deputy Commissioner, Tharrawaddy.	1	...	1	...	2	...
	Total ...	1	...	4	...	5	...
IRRAWADDY.	Mr. T. C. Mitchell, Deputy Commissioner, Bassein ...	...	...	1	...	1	...
	Total ...	...	...	1	...	1	...
TENASSERIM.	Lieutenant-Colonel W. G. Hughes, Deputy Commissioner, Toungoo.	1	...	...	...	1	...
	Total ...	1	...	...	...	1	...
	GRAND TOTAL ...	3	...	6	...	9	...
	In 1885 ...	5	1	13	...	19	2

19. The number and result of references to the Court of the Judicial Commissioner is shown in the following table :—

Division.	Court making the reference.	In accordance with paragraph 8 of Government of India Notification No. 884, dated 12th August 1868.	Under section 617, Act X of 1877.	Under section 295, Act X of 1877.	Under section 25, Act XVII of 1876.	Under section 29, Act XVII of 1876.	Under section 26, Act XVII of 1876.	Under section 22, Act XI of 1866.	Total.	Rulings adverse to the opinion of referring Court.	Rulings in concurrence with the opinion of referring Court.	Heard as appeals under section 84, Act XVII of 1876.	Total disposed of.	Pending.
Arakan ...	Deputy Commissioner, Akyab ...	...	...	...	2	...	...	...	2	...	...	...	...	2
	Extra Assistant Commissioner, Akyab ...	...	1	...	...	...	...	...	1	...	1	...	1	...
Total ...		...	1	...	2	...	...	...	3	...	1	...	1	2
Pegu ...	Deputy Commissioner, Hanthawaddy	...	...	...	2	1	...	...	3	1	2	...	3	...
	Deputy Commissioner, Pegu ...	...	...	...	...	1	...	...	1	...	...	1	1	...
	Deputy Commissioner, Prome ...	...	...	...	1	...	...	...	1	...	...	...	...	1
Total ...		...	...	...	3	2	...	...	5	1	2	1	4	1
Irrawaddy ...	Deputy Commissioner, Thôngwa ...	...	1	...	...	...	...	...	1	...	...	1	1	...
Total ...		...	1	...	...	...	...	...	1	...	...	1	1	...
Tenasserim ...	Deputy Commissioner, Tavoy ...	...	...	...	1	...	...	...	1	...	1	...	1	...
	Deputy Commissioner, Mergui ...	...	...	...	1	...	...	...	1	...	1	...	1	...
Total ...		...	...	...	2	...	...	...	2	...	2	...	2	...
GRAND TOTAL ...		2	.	7	2	...	...	...	11	1	5	2	8	3
In 1885 ...		4	...	3	...	...	...	...	7	3	2	...	5	2

20. The following table shows the work of the Judicial Commissioner as a Court of revision :—

Division.	Name of Commissioner, Deputy Commissioner, Assistant Commissioner, or Extra Assistant Commissioner from whose decision revision was made.	Revision admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Remanded.	Total disposed of.	Pending.
Arakan.	Mr. A. R. Birks, Deputy Commissioner, Kyaukpyu...	1	...	...	1	...	...	1	...
	Total ...	1	...	...	1	...	...	1	...
Pegu.	Captain B. A. N. Parrott, Deputy Commissioner, Hanthawaddy.	6	...	...	6	...	...	6	...
	Mr. T. C. Mitchell, Deputy Commissioner, Hanthawaddy.	2	...	...	2	...	...	2	...
	Colonel G. A. Strover, Deputy Commissioner, Pegu...	3	2	...	1	...	...	3	...
	Mr. A. M. B. Irwin, Deputy Commissioner, Pegu ...	1	...	...	1	...	...	1	...
	Mr. N. G. Cholmeley, Assistant Commissioner, Pegu	1	1	...	...	...	...	1	...
	Mr. G. E. Moultrie, Extra Assistant Commissioner, Pegu.	1	...	...	1	...	...	1	...
	Maung Tu, Myoôk of Payagale	1	...	...	...	1	...	1	...
	Maung Thaung, Myoôk of Kyauktan	3	...	...	3	...	...	3	...
	Maung Bah Gyaw, Extra Assistant Commissioner, Pagandaung.	1	...	...	1	...	...	1	...
	Mr. A. H. Hildebrand, Deputy Commissioner, Tharrawaddy.	1	...	...	1	...	...	1	...
	Captain W. F. H. Grey, Deputy Commissioner, Prome.	1	...	...	1	...	...	1	...
	Mr. J. E. Bridges, Deputy Commissioner, Prome ...	2	...	...	1	...	...	1	1
	Colonel C. W. Street, Commissioner of Pegu ...	1	...	...	1	...	...	1	...
	Total ...	24	3	...	19	1	...	23	1
Irrawaddy.	Maung Pu, Myoôk of Henzada	3	...	...	3	...	...	3	...
	Mr. T. C. Mitchell, Deputy Commissioner, Bassein...	1	...	...	1	...	...	1	...
	Colonel W. W. Pemberton, Deputy Commissioner, Bassein.	1	...	...	1	...	...	1	...
	Mr. D. L. M. Mackay, Assistant Commissioner, Bassein.	1	1	...	...	...	...	1	...
	Major C. B. Cooke, Deputy Commissioner, Thôngwa...	2	...	...	2	...	...	2	...
	Total ...	8	1	...	7	...	...	8	...
Tenasserim.	Mr. G. L. Weidemann, Deputy Commissioner, Shwegyin.	2	...	...	2	...	...	2	...
	Maung Po, Myoôk of Thayèthamein	1	1	...	...	...	...	1	...
	Lieutenant-Colonel W. G. Hughes, Deputy Commissioner, Toungoo.	2	...	...	2	...	...	2	...
	Maung Taing, Extra Assistant Commissioner, Toungoo.	2	...	...	1	...	...	1	1
	Mr. D. G. Macleod, Judge of Moulmein	1	...	1	...	...	...	1	...
	Total ...	8	1	1	5	...	...	7	1
	Grand Total ...	41	5	1	32	1	...	39	2
	In 1885 ...	33	1	...	27	1	...	29	4

21. *Cost of litigation.*—During the last five years the rates of cost to values of suits have been as follows :

	Original.	Appeal.	Execution.
1882 ...	14·58 ...	20·31 ...	1·79
1883 ...	15·38 ...	17·50 ...	3·49
1884 ...	15·67 ...	20·31 ...	2·53
1885 ...	14·10 ...	19·22 ...	1·97
1886 ...	14·56 ...	15·09 ...	1·90

In original cases the averages are highest in—

Tavoy	30·71
Sandoway	26·82
Kyaukpyu	26·45
Tharrawaddy	24·89
Henzada	20·98

They were lowest in—

Pegu	13·68
Hanthawaddy	12·20
Shwegyin	11·83
Salween	10·10
Moulmein	7·51

In Tavoy the average value of regular suits was Rs. 45. In the Moulmein District Judge's Court the average value of regular suits was Rs. 3,122. The reduced rates of process fees came into operation in October last and have but slightly affected the figures for the whole year.

I refrained from dealing with the questions of the reduction of the minimum of Advocates' fees and of the reduction of copying charges, as it seemed probable that the re-organization of the Courts and the extension of the Legal Practitioners Act to Burma would be accomplished within the year.

22. *Advocates.*—The total number of Advocates in the Court and in the Courts subordinate to this Court is 501. Of these 52 are Advocates of the 1st grade, of whom 48 are in actual practice in Burma ; 21 of them are Barristers. There are 118 2nd grade Advocates and 331 3rd grade Advocates on the rolls.

In May 1886 the Educational Syndicate held an examination for the admission of Advocates ; 21 candidates presented themselves, and of these two passed in the 1st grade and three in the 2nd grade. The examinations are conducted in English. This course was resolved upon after much deliberation by one of my predecessors. The working of the system requires careful watching. At the present rate the supply of the lower grade Advocates is insufficient.

23. I visited the following districts during the year, namely, Kyaukypu, Toungoo, Moulmein, Amherst, Prome, Thayetmyo, Akyab, and Tavoy. The Courts at the headquarters of each district were thoroughly inspected, full notes being made of defects and irregularities discovered. These were brought to the notice of officers concerned.

The district record-rooms afforded me opportunities of examining the work of the outlying Courts. The commonest mistakes noted were translated and circulated. District Officers have been encouraged to inspect their subordinate Courts. Good work has been done in inspection by the following officers :—

Colonel C. W. Street. | Mr. H. Buckle.
Mr. A. R. Birks. | Mr. G. L. Weidemann.
Mr. K. G. Burne.

Some of these gentlemen have given me brief and excellent notes showing that the work of inspection has been really done. These notes are communicated to the officers inspected, and I have had the gratification during the past year of observing many instances in which succeeding inspections testified to errors eradicated and defective procedure permanently improved. Junior officers in remote out-stations are being brought to understand that their work comes under notice as much as that of District Officers.

24. I was in charge of this office throughout the year.

W. F. MERES,
Offg. Judicial Commissioner, Lower Burma.

APPENDICES.

From J. K. MACRAE, Esq., Officiating Commissioner of the Irrawaddy Division, to the Registrar, Court of the Judicial Commissioner, Burma,—No. 947, dated the 9th April 1887.

I HAVE the honour to acknowledge the receipt of your letter No. 1328., dated the 2nd instant, asking for my own opinion on the operation of the measures taken under sections 320—5 for the protection of the Karens in the Bassein district.

2. The year just past has afforded no grounds for arriving at a correct opinion on the working of the sections, because they were hardly, if at all, put in operation, but I have no reason to doubt the accuracy of the Deputy Commissioner's observation that the existence of the rule giving the revenue authorities power to intervene for their protection was in itself sufficient to relieve the Karens from the active oppression of the Burman money-lenders.

3. Many of the Karen cultivators in the Bassein district are still largely indebted, but no attempts have been made during the past year to wrest their lands from them by process of law.

4. The course of litigation in this direction is now carefully watched by the Deputy Commissioner and the Myoôk, who presides in the township most affected, himself a Karen, and possessing the confidence of the people for whose benefit these rules are put in force with the excellent result above referred to.

5. I beg to apologize for not sending a report before, but as it was known that I was personally unacquainted with the subject, I considered that an expression of my opinion would carry no weight and did not offer it.

Endorsement by J. K. MACRAE, Esq., Officiating Commissioner of the Irrawaddy Division,—No. 111-85, dated the 18th March 1887.

COPY of the following forwarded to the Registrar, Court of the Judicial Commissioner, Burma, with reference to his letter No. 2088-2, dated the 8th December last.

From A. R. BIRKS, Esq., Deputy Commissioner, Bassein, to the Commissioner of the Irrawaddy Division,—dated the 28th January 1887.

WITH reference to your docket No. 85-1, dated the 27th December 1886, forwarding an extract of the resolution of the Government of India on the Civil Justice Administration Report for the year 1885, I have the honour to report that in the two townships of Kangyidaung and Thigwin, in which the provisions of sections 320—5 of the Civil Procedure Code have been current, there has been but one case in which immoveable property has been attached in a suit between a Burman and a Karen, but the action proceeded no further than the attachment. The effect of the measure must be looked for rather in the transactions which do not come before the Courts than in those that do. The Myoôk of Kangyidaung has been moved to another part of the district at the close of the year, and his successor cannot be well acquainted with the effects, but the Thigwin Myoôk, a Karen himself, has sent in a report which is attached.

From this it may be gathered that the measures taken have had the desired effect, that the Karens, a morally timid race, have perceived that their fear of the Courts was unfounded and that the Government was anxious that they should be equitably dealt with. They have plucked up spirit to resist extortionate demands and, though willing to meet just demands in a fair spirit, will not submit to be imposed upon.

From the Myoôk, Thigwin, to the Deputy Commissioner, Bassein,—dated the 24th January 1887.

WITH reference to your Judicial Department letter No. 88, dated the 13th instant, I beg respectfully to submit the following report.

1. It is a matter of deep thankfulness to the British Government to think over the advantage and benefits enjoyed by the Karens during the last year 1886. They have been much benefited by the British Government, the interest taken in their temporal welfare by which does not stop within the limits of protection given to suitors, but extends to the many and various matters of vital importance to them. However, confining myself to the measure taken for the protection of the suitors, I beg to submit that it is gratifying to state that their results are salutary in no small degree. The Karens of a few years back and those now are quite different. Then, although they knew that they could enjoy the benefits of liberty, which they could not do under the Burmese Government when they were almost enslaved, they were hardly in a position to be able to appreciate the value of the British administration as might be wished. Now they can fully appreciate justice, the foundation of the British rule. So far as my township is concerned they are no longer at the mercy of grasping money-lenders and they cannot be intimidated with civil proceedings, as they know that, being able to use their own language while appearing before the Court

they cannot be outwitted by the loquacity of persons of other races, and that the authorities are taking great pains to render justice to them. They cannot be hard-pressed by their creditors to deliver over their property in a manner detrimental to their interest to them in cases when they have not the means to liquidate their debts as soon as they are expected to pay by them (creditors), for they (creditors) are aware that time would be given their debtors to liquidate their debts in cases of poverty, or where they (debtors) are not in a position to be able to pay within a short time if their claims are brought before the Court. Knowing this they are sobered down in their avarice and act upon moderation. I would therefore submit that the measures adopted for the protection of Karen suitors are successful and beneficial as they are; they will, I think, prove more so if the introduction of Karen language as a language to be used in Court is added to their number.

2. There were few cases of execution between Burman and Karen suitors last year. The proceedings for the first, second, and third quarters of last year have already been forwarded to your honorable Court. There is only one execution proceeding between a kala (Kasim) and a Karen woman (Ma Nay Aye) for the last quarter of the last year, which is forwarded herewith.

3. The list of the cases cannot be given as all the registers of my Court are with my Head Writer, who is in Bassein, having gone there for preparing the annual return, and who, although requested by me, has neglected to furnish me with the list.

Judicial Statement No. 1 (Civil).

Statement showing the Number of Judicial Divisions and the Number of Officers exercising Appellate or Original Jurisdiction in Lower Burma on the last day of the year 1886, with the Cost of Tribunals.

Name of Province.	Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction: Judges of Chief Court of province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of Districts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided: Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	Square miles.														Rs. A. P.	Rs. A. P.	Grades of Judicial Officers. European. Native.
Territory subject to the High Court. Civil ...	86,205	3,732,272	4	19	36	3	4	18	25	102	32,765	5,379	1,260*	62	4,33,632 12 8	6,23,429 6 3	
Territory subject to the High Court. Criminal	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Officers exercising both original and appellate jurisdiction. Judicial Commissioner ... 1 ...
																	Recorder of Rangoon ... 1 ...
																	Additional Recorder ... 1 ...
Territory subject to the High Court. Revenue	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Commissioners ... 4 ...
																	Deputy Commissioners ... 18 ...
Territory not subject to the High Court. Civil ...	1,015	14,499	...	1	...	...	...	1	...	...	209	...	...	..	.....	1,217 8 1	Assistant Commissioners with appellate powers... 2 ...
Territory not subject to the High Court. Criminal	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Officers exercising original jurisdiction only. Small Cause Court Judges 2 2
																	Assistant Commissioners. 14 1
Territory not subject to the High Court. Revenue	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Extra Assistant Commissioners. 5 20
																	Myooks 4 77
																	Unpaid Judges... 1
Total ...	87,220	3,736,771	4	20	36	3	4	19	25	102	32,974	5,379	1,260*	62	4,33,632 12 8	6,23,647 0 4	

* Includes 39 revisions.

Judicial Statement No. 7 (Civil).

Statement showing the Number and Description of Suits Instituted in the Civil and Revenue Courts in Lower Burma in the year 1886.

Class of Tribunals.	Suits for money or moveable property.										Suits under the rent law.									Title and other suits.																				
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work, and materials.	Breach of contract not mentioned above.	Rent not falling under the rent law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts, or on account of illegal restraint or other cause.	For pottahs or kabuliyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the rent law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Inter-pleader suits.	Dissolution of partnership.	Suits under section 261, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.	Grand total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
Courts in the Interior.																																					
I.—Civil Courts.																																					
Unpaid Tribunals	3	18	...	17	74	19	...	...	27	21	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	1	...	...	...	...	...	9	4	...	...	74	182
Village Courts	4,726	3,688	173	741	2,648	900	...	394	2,432	2,074	...	...	...	...	...	...	...	...	791	22	39	48	31	8	1	26	422	109	84	...	3	23	2	...	...	...	19,449
Paid Subdivisional Tribunals ...	489	217	14	56	185	90	...	69	127	91	...	...	...	...	...	...	...	...	102	2	...	2	2	3	...	1	28	9	12	...	...	3	1	...	...	...	1,503
Small Cause Courts	2,319	867	93	191	1,161	350	...	226	369	119	...	...	...	...	...	...	...	...	12	...	...	...	4	...	...	...	...	...	...	...	...	...	...	...	17	5,741
District Courts other than Chief Courts of Districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Courts of Districts ...	52	6	5	128	38	6	...	...	24	17	...	...	...	...	...	...	...	...	23	1	2	40	1	3	...	...	5	24	3	...	...	24	1	2	...	6	411
Total ...	7,589	4,796	285	1,133	4,126	1,365	...	689	2,979	2,315	...	...	...	...	...	...	...	...	930	25	41	90	38	14	1	27	456	142	99	...	3	29	11	6	...	97	27,286
II.—Revenue Courts.																																					
Unpaid Local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Collector's Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Courts at the Presidency or Seat of Government.																																					
Presidency Small Cause Courts...	2,190	830	17	208	475	397	...	714	89	16	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	13	3	...	...	4	...	3	...	20	4,965
Superior Courts	57	2	2	9	2	6	...	7	4	13	...	...	...	...	...	...	...	...	82	2	1	...	2	1	...	1	13	3	...	...	4	...	3	...	20	234
Total ...	2,247	861	19	217	477	403	...	721	93	29	...	...	...	...	...	...	...	...	82	2	1	...	2	1	...	1	13	3	...	...	4	...	3	...	20	5,199
Grand Total ...	9,836	5,657	304	1,350	4,603	1,768	...	1,410	3,072	2,344	...	...	...	...	...	...	...	...	1,012	27	42	90	40	15	1	28	469	145	99	...	3	33	11	9	...	117	32,485

JUDICIAL STATEMENT No. 8 (CIVIL).

Statement showing the Number and Value of Suits Instituted in the Civil and Revenue Courts in Lower Burma in the year 1886.

Class of Tribunals.	Number of suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
										Rs. A. P.	
COURTS IN THE INTERIOR.											
I.—Civil Courts.											
Unpaid Tribunals	51	83	37	10	...	...	...	...	1	5,888 14 11	
Village Courts	2,915	7,833	4,287	3,713	143	61	...	...	497	14,94,003 8 1	
Paid Subdivisional Tribunals	249	540	238	241	136	65	6	3	35	3,81,851 12 10	
Small Cause Courts	1,095	2,982	916	690	58	...	...	...	...	3,31,555 11 5	
District Courts other than Chief Courts of Districts	...	...	...	...	...	...	...	...	...	.....	
Chief Courts of Districts	42	98	43	74	36	79	11	15	13	5,90,728 8 2	
Total	4,352	11,536	5,511	4,728	373	205	17	18	546	28,04,028 7 5	
II.—Revenue Courts.											
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	
Collectors' Court	...	...	...	...	...	...	...	...	...	...	
Total	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.											
Presidency Small Cause Courts	587	2,259	870	1,094	155	...	...	...	...	4,85,311 4 7	
Superior Courts	...	...	2	10	19	122	31	24	26	12,05,250 10 1	
Total	587	2,259	872	1,104	174	122	31	24	26	16,90,561 14 8	
GRAND TOTAL	4,939	13,795	6,383	5,832	547	327	48	42	572	44,94,590 6 1	

JUDICIAL STATEMENT No. 9 (CIVIL).

Statement showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in Lower Burma in the year 1886.

PART I.—Civil Suits.

Class of Tribunals.	Total number of suits before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.*	AVERAGE DURATION OF CASES.		Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.				Contested.	Uncontested.	
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INFERIOR.																
I.—Civil Courts.																
Unpaid Tribunals	221	...	36	9	45	17	...	...	...	96	18	...	...	6	5	
Village Courts	19,904	...	4,601	1,302	3,479	2,210	237	32	14	5,262	2,273	494	16	21	14	
Paid Subdivisional Tribunals	1,661	...	290	172	251	254	54	5	2	417	173	43	5	36	21	
Small Cause Courts	5,997	...	999	378	804	1,501	12	26	15	1,490	519	253	27	21	15	
District Courts other than Chief Courts of Districts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	451	...	58	42	54	62	1	5	...	119	56	54	20	64	23	
Total	28,234	...	5,984	1,903	4,633	4,044	304	68	31	7,384	3,039	844	68	22	15	
II.—Revenue Courts.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																
Presidency Small Cause Courts	5,693	...	951	348	564	1,907	114	1	...	926	482	400	43	53	35	
Superior Courts	362	...	23	9	29	68	1	...	...	121	40	71	33	223	95	
Total	6,055	...	974	357	593	1,975	115	1	...	1,047	522	471	76	71	37	
GRAND TOTAL	34,289	...	6,958	2,260	5,226	6,019	419	* 69	31	8,431	3,561	1,315	144	29	19	

* That is, the total number of the entries in columns 3 to 14. Cases transferred from one Court to another in the same province will appear only against the Court by which decided, or in which pending at the close of the year if not decided.

JUDICIAL STATEMENT No 9 (CIVIL).

Statement showing the General Results of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in Lower Burma in the year 1886.

PART II.—Miscellaneous Cases (Judicial).

Class of Tribunals.	Total number of cases before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases contested and uncontested.	Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.					
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
COURTS IN THE INTERIOR.															
I.—Civil Courts.															
Unpaid Tribunals	18	...	...	1	...	3	1	...	...	10	3	...	...	10·	
Village Courts	2,579	...	560	174	110	228	47	8	9	869	502	72	...	12·	
Paid Subdivisional Tribunals	405	...	75	33	12	96	18	1	...	113	45	12	...	13·	
Small Cause Courts	338	...	45	12	65	71	32	...	...	71	30	12	...	7·	
District Courts other than Chief Courts of Districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	620	...	173	4	5	134	27	...	...	147	87	43	5	25·	
Total ...	3,960	...	853	224	192	532	125	9	9	1,210	667	139	5	14·	
II.—Revenue Courts.															
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.															
Presidency Small Cause Courts	1,336	...	970	3	6	33	4	...	...	193	91	36	9	17·	
Superior Courts	349	...	58	...	3	87	32	...	...	43	35	91	87	21·	
Total ...	1,685	...	1,028	3	9	120	36	...	...	236	126	127	96	17·	
GRAND TOTAL ...	5,645	...	1,881	227	201	652	161	9	9	1,446	793	266	101	15·	

* That is, the total number of the entries in columns 3 to 14. Cases transferred from one Court to another in the same province will appear only against the Court by which decided, or in which pending at the close of the year if not decided.

JUDICIAL STATEMENT No. 10 (CIVIL).

Statement showing the Business of the Civil and Revenue Appellate Courts of Lower Burma in the year 1886.

PART I.—Appeals from Decrees.

Class of Tribunals.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	HEARD EX-PARTE.				CONTESTED.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts	193	...	...	1	6	...	...	...	107	14	49	...	16	...	93	...	
Chief Appellate Courts of Districts	1,036	...	8	11	41	2	6	...	567	52	210	35	104	10	48	...	
Superior Appellate Courts other than Chief Court of Province ...	12	...	3	...	...	...	...	...	...	...	4	...	5	2	77	1	
Total ...	1,241	...	11	12	47	2	6	...	674	66	263	35	125	12	55	1	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																	
Chief Court of Province — Appeal from original decrees	8	...	...	...	...	...	...	...	2	...	1	...	5	...	99	...	
Chief Court of Province — Appeals from appellate decrees	127	...	17	7	1	...	...	...	44	5	28	...	25	10	116	...	
Chief Court of Province — Civil revisions	41	...	28	1	...	...	1	...	4	1	4	...	2	...	27	...	
Total ...	176	...	45	8	1	...	1	...	50	6	33	...	32	10	99	...	
GRAND TOTAL ...	1,417	...	56	20	48	2	7	...	724	72	296	35	157	22	60	1	

JUDICIAL STATEMENT No. 10 (CIVIL).

Statement showing the Business of the Civil and Revenue Appellate Courts of Lower Burma in the year 1886.

PART II.—Miscellaneous Appeals (Judicial).

Class of Tribunals.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8.	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Appellate Courts of Districts	61	...	5	...	21	...	3	...	13	2	7	2	8	1	15·	...	
Superior Appellate Courts other than Chief Court of Province ...	9	...	...	...	3	...	4	...	2	...	...	...	...	...	17·	...	
Total ...	70	...	5	...	24	...	7	...	15	2	7	2	8	1	16·	...	
B.—Revenue Courts.																	
Collector's Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																	
Chief Court of Province { Appeals from original decrees	11	...	...	4	1	...	2	...	1	...	3	...	...	...	40·	...	
Chief Court of Province { Appeals from appellate decrees	9	...	4	...	...	...	1	...	2	...	2	...	...	...	51·	...	
Total ...	20	...	4	4	1	...	3	...	3	...	5	...	...	..	45·	...	
GRAND TOTAL ...	90	...	9	4	25	...	10	...	18	2	12	2	8	1	23·	...	

JUDICIAL STATEMENT No. 11 (CIVIL).

Statement showing the Result of Proceedings on Applications for the Execution of the Decrees of the Civil and Revenue Courts in Lower Burma in the year 1886.

Class of Tribunals.	Total number of applications for the execution of decrees before the Courts.	APPLICATIONS DISPOSED OF				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	AMOUNT REALIZED		NUMBER OF APPLICATIONS											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which the judgment-debtor was arrested, but released without imprisonment.	On which moveable property		On which immoveable property			On which possession was given.		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than the preceding columns.	Remarks.
												Was sold.	Was attached, but subsequently released.	Was sold.	Was dealt with under sections 308, 328, or 320, Act XIV of 1882.	Was attached, but subsequently released under section 278.	Of moveables.	Of immoveables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.								Rs. A. P.	Rs. A. P.													
I.—Civil Courts.																						
Unpaid Tribunals	50	...	21	2	27	...	...	99 6 0	...	...	1	...	19	2	...	1	...	...	...	...	...	
Village Courts	5,919	...	2,096	1,263	2,249	284	6	1,93,095 11 10	10,622 1 1	184	817	585	580	554	55	414	6	38	5	1	162	
Paid Subdivisional Tribunals ...	590	...	230	133	196	31	...	75,689 12 8	6,079 1 5	90	111	63	64	57	8	19	2	3	...	...	16	
Small Cause Courts	1,914	...	389	417	992	113	...	24,657 3 8	430 19 0	70	359	113	74	21	1	11	2	...	...	1	155	
District Courts other than Chief Courts of Districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	273	...	74	69	119	16	...	98,167 2 2	3,466 6 9	8	16	40	30	26	...	4	...	...	...	...	19	
Superior Courts...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	8,739	...	2,810	1,904	3,579	446	6	3,89,719 4 4	20,598 5 3	282	1,304	780	767	660	64	449	10	39	5	2	322	
II. Courts at the Presidency or Seat of Government.																						
Presidency Small Cause Courts ...	2,587	...	552	443	1,504	88	8	51,158 7 10	363 11 0	155	566	66	60	...	...	...	...	...	...	...	146	
Superior Courts	192	...	52	54	64	22	5	3,67,347 7 0	3,598 7 0	8	10	5	1	46	1	7	2	...	5	...	21	
Total ...	2,779	...	604	497	1,568	110	13	4,38,406 14 10	4,251 2 0	163	576	71	61	46	1	7	2	...	5	...	169	
GRAND TOTAL ...	11,518	...	3,414	2,401	5,147	556	19	8,28,126 3 2	24,849 7 3	445	1,880	851	828	706	65	456	12	39	10	2	521	

JUDICIAL STATEMENT No. 12 (CIVIL).

Statement showing the Number and Result of Applications and Proceedings under Chapter XX, Act XIV of 1882 in Lower Burma in the year 1886.

Class of Tribunals.	APPLICATIONS FOR A DECLARATION OF INSOLVENCY.								AMOUNT OF CREDITORS' CLAIMS DEALT WITH DURING THE YEAR.		GROSS AMOUNT OF INSOLVENTS' ASSETS REALIZED AND DISBURSED.		Remarks.
			Granted.		*Rejected.*								
	Total number of hearing.	Transferred to another province, withdrawn, &c.	A receiver being appointed.	A receiver not being appointed.	Penal proceedings under section 350 not being taken.	Sentence of imprisonment being passed under section 350.	Applicant being sent to the Magistrate to be dealt with.	Pending at the close of the year.	Number of insolvents discharged during the year under section 351.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Courts other than Chief Courts of Districts.	44	...	2	23	5	...	...	5	2	...	.....	.....	225 0 0	.....	
Chief Courts of Districts	257	77	2	96	41	3	12	24	2	1	294 2 0	23 12 0	25 0 0	23 12 0	
Superior Courts	3	...	...	1	2	...	...	...	...	...	.....	.....	.....	.....	
Total ...	304	77	4	122	48	3	12	29	4	1	294 2 0	23 12 0	250 0 0	23 12 0	

JUDICIAL STATEMENT No. 13 (CIVIL).

Statement showing the use of Jurors and Assessors in the Civil Courts in Lower Burma in the year 1886.

Classes of Courts in which Jurors or Assessors are employed, distinguishing criminal from Civil Courts.		Established or average number of jury or assessors in each case, and prescribed qualifications.	Number of cases tried by jury.	Number of cases tried with assessors.	Cases in which the judge approved of the verdict	JURY TRIALS. Cases in which the Judge did not approve of the verdict. Wholly.	Partially.	Number of persons of the verdict in respect to whom the Judge disapproved. Whose cases he referred under section 307, C. P. Code.	Whose cases he did not refer under section 307, C. P. Code.	ASSESSORS' TRIALS. Number of cases in which judge agreed with assessors	Number of cases in which Judge differed from. One assessor.	Both assessors.	Remarks.
1		2	3	4	5	6	7	8	9	10	11	12	13
I.—Civil Courts.													
Chief Courts of Districts (or officer specially empowered) acting under Act X of 1870.	Assessors ..	...	...	...	...	...	...	...	...	...	...	...	
II.—Criminal Courts.													
Magistrates' Courts under Chapter X., C P. Code	Jurors ...	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session	Jurors ...	...	...	...	...	...	...	...	...	...	...	...	
	Assessors ...	...	...	...	...	...	...	...	...	...	...	...	
High Court, Original Criminal Jurisdiction ...	Jurors ...	...	...	...	...	...	...	...	...	...	...	...	
	Total ...	...	...	...	...	...	...	...	...	...	...	...	

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases including Executions of Decrees and other Miscellaneous Applications Disposed of in the different Classes of Courts in Lower Burma during the year 1886.

Name of District or Court.	ORIGINAL.									APPEAL.		
			COSTS OF CASES.									COSTS OF CASES.
	Total number of cases.	Total value of cases.	Total amount of court-fees, including process fees.	Total amount of process fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Total amount of court-fees, including process fees.
1	2	3	4	5	6	7	8	9	10	11	12	13
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.
Akyab	2,017	2,98,870 5 8	21,038 14 0	4,258 11 0	1,782 0 0	10,221 10 2	343 6 0	33,385 14 2	14·59	75	17,461 8 8	1,250 8 0
Kyaukpyu	705	33,375 15 11	5,268 11 0	2,153 8 0	1,793 6 0	1,741 12 10	24 10 0	8,828 7 10	26·45	80	6,295 15 7	692 8 0
Sandoway	267	10,430 11 1	1,473 6 0	589 0 0	741 4 0	581 7 0	2 0 0	2,797 1 0	26·82	18	676 3 2	142 13 0
Arakan Hill Tracts	209	19,051 1 3	.....	.....	.....	.....	133 10 0	133 10 0	1·11	...	.....	.....
Commissioner of Arakan	...	.....	.....	.....	.....	.....	.....	.....	...	3	10,660 15 0	583 8 0
Hanthawaddy	961	1,53,653 9 7	11,136 14 0	2,176 8 0	913 6 6	6,673 5 1	93 4 0	18,744 13 7	12·20	47	6,497 14 5	803 1 0
Pegu	1,659	2,12,067 11 11	21,710 9 0	3,468 8 0	1,596 10 0	5,521 12 0	201 1 0	32,080 1 0	13·68	65	19,309 13 4	1,260 14 0
Tharrawaddy	1,715	93,450 9 10	12,397 0 0	2,942 0 0	2,137 11 6	7,649 4 0	75 4 0	23,359 3 6	24·99	61	6,843 4 10	727 6 0
Prome	2,069	1,57,608 7 7	16,893 4 0	4,697 0 0	2,530 13 6	4,036 11 1	1,130 9 0	24,591 5 7	15·60	133	20,110 12 8	1,893 6 0
Commissioner of Pegu	...	.....	.....	.....	.....	.....	.....	.....	...	9	83,858 0 0	53 10 0
Thôngwa	3,360	2,70,213 14 6	29,205 5 0	7,916 10 0	3,999 14 0	9,989 3 8	470 14 0	43,665 4 8	35·34	153	26,796 15 2	2,259 6 0
Bassein	3,535	3,41,837 11 8	30,592 13 0	7,430 8 0	4,099 3 0	15,006 9 6	291 10 0	50,990 3 6	14·92	143	32,906 9 3	2,218 4 0
Henzada	1,765	1,07,733 3 6	14,701 13 0	4,551 9 0	2,889 4 0	4,699 14 5	309 8 0	23,600 7 5	20·98	27	2,321 15 0	240 1 0
Thayetmyo	1,321	56,281 15 9	7,147 12 0	2,459 2 0	1,484 4 0	1,494 0 9	347 7 0	10,473 7 9	18·61	65	4,497 1 5	535 10 0
Commissioner of Irrawaddy	...	.....	.....	.....	.....	.....	.....	.....	...	3	8,080 0 0	378 11 0
Amherst	1,591	1,23,695 0 3	13,220 12 0	3,774 8 0	2,127 6 0	3,407 14 4	148 10 0	18,604 10 4	15·03	96	10,647 8 9	1,042 6 0
Shwegyin	1,491	1,29,643 2 0	9,387 1 0	2,338 10 0	1,660 8 0	4,399 12 2	38 0 0	15,365 5 2	11·83	50	7,312 6 3	688 1 0
Toungoo	1,104	1,74,513 5 10	13,676 13 0	2,133 8 0	1,431 1 0	7,044 13 5	211 8 0	22,364 3 5	12·83	33	11,284 4 9	1,023 2 0
Tavoy	530	24,236 4 9	4,055 4 0	1,455 0 0	1,503 14 0	1,273 2 10	609 11 2	7,442 0 0	30·71	93	10,869 14 10	1,135 9 0
Mergui	544	45,444 12 8	5,161 12 0	1,426 0 0	864 1 4	3,317 3 2	75 0 0	9,417 0 6	20·72	33	2,996 15 7	356 12 0
Salween	55	9,701 15 4	971 5 0	123 8 0	108 8 0	.....	.....	979 13 0	10·10	1	97 0 0	3 0 0
Moulmein	2,533	5,48,104 9 0	34,967 12 0	3,698 8 0	1,896 6 0	17,003 0 0	1,395 10 0	55,162 12 0	10·06	...	.....	.....
Commissioner of Tenasserim	...	.....	.....	.....	.....	.....	.....	.....	...	1	9,401 0 0	463 2 0
Judicial Commissioner	...	.....	.....	.....	.....	.....	.....	.....	...	150*	79,945 5 2	2,945 7 0
Rangoon Small Cause Courts	5,293	4,86,108 7 4	45,577 7 0	7,130 15 0	4,845 0 0	10,155 15 0	219 0 0	60,797 6 0	12·46	...	.....	.....
Recorders' Courts	291	12,19,052 10 6	53,075 13 0	2,295 0 0	1,907 2 0	51,998 10 9	2,261 7 0	1,09,243 0 9	8·96	...	.....	.....
Special Court	...	.....	.....	.....	.....	.....	.....	.....	...	14	67,899 14 0	843 13 0
Total ...	32,974	44,40,264 10 1	3,58,138 4 0	66,016 9 0	40,300 10 10	1,67,216 3 2	8,211 1 2	5,67,866 3 2	12·79	1,342*	3,99,093 5 10	21,477 13 0

* Includes 30 revisions.

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases including Executions of Decrees and other Miscellaneous Applications Disposed of in the different Classes of Courts in Lower Burma, during the year 1886—(continued).

Name of District or Court.	APPEAL—concluded. Costs of cases—concluded. Total amount of process fees	Total amount of diet-money paid to witnesses	Total amount of advocates' fees	Total amount of fees for commissions and other miscellaneous charges	Total	Percentage of total cost to total value	EXECUTION OF DECREES. Total number of cases	Total value of cases	Costs of cases. Total amount of court-fees, including process fees	Total amount of process fees	Total amount of diet-money paid to witnesses	Total amount of advocates' fees
1	14	15	16	17	18	19	20	21	22	23	24	25
	Rs. A. P	Rs. A. P	Rs. A. P	Rs. A. P	Rs. A. P			Rs. A. P	Rs. A. P	Rs. A. P	Rs. A. P	Rs. A. P
Akyab	198 0 0		1,514 2 10	244 8 0	3,009 2 10	17·21	708	1,77,263 1 2	2,808 10 0	2,134 0 0		20 0 0
Kyaukpyu	176 0 0		875 0 0	107 8 0	1,675 0 0	25·60	179	9,537 9 1	554 0 0	444 8 0	2 0 0	
Sandoway	40 0 0	4 0 0	131 8 0	74 15 10	353 3 10	52·24	64	3,123 14 2	306 9 0	242 2 0		
Arakan Hill Tracts							29	1,545 13 3				
Commissioner of Arakan	6 0 0		939 13 10		1,523 5 10	14·29						
Hanthawaddy	140 0 0	4 0 0	801 0 0	159 11 9	1,767 12 9	20·80	292	67,074 10 2	876 2 0	801 0 0	69 0 0	27 0 0
Pegu	168 0 0		1,345 14 4	190 15 2	2,797 11 6	14 49	576	1,15,486 1 6	2,162 9 0	1,320 0 0		
Tharrawaddy	153 0 0		1,003 13 9		1,731 3 9	25·30	351	42,541 13 4	1,218 3 0	899 8 0	1 8 0	10 0 0
Prome	302 0 0		2,042 14 0	226 0 0	4,176 4 0	20·53	525	73,650 15 0	1,609 3 0	1,271 8 0	6 4 0	
Commissioner of Pegu	18 0 0		1,155 10 6	6 0 0	1,215 4 6	3·89						
Thôngwa	329 2 0		2,939 12 7	621 4 0	5,260 6 7	21·72	986	1,09,558 0 1	2,966 3 0	2,112 0 0	9 0 0	89 0 0
Bassein	344 0 0		3,422 15 0	270 4 0	5,911 7 0	17·98	977	2,13,314 5 5	3,292 2 0	2,080 8 0	3 8 0	25 8 0
Henzada	56 0 0		506 4 0	74 11 0	821 0 0	35 36	357	29,926 4 11	1,123 5 0	699 8 0	30 0 0	23 8 0
Thayetmyo	154 0 0	0 8 0	675 1 5	208 2 0	1,414 5 5	31 45	260	23,397 9 7	913 13 0	615 8 0	7 8 0	
Commissioner of Irrawaddy	3 0 0		290 0 0		668 11 0	8·29						
Amherst	208 0 0		617 8 0	8 8 0	1,868 6 0	17 57	686	90,550 10 4	2,513 10 0	1,606 8 0	3 0 0	
Shwegyin	132 0 0		332 1 0		1,040 2 0	14 42	525	67,511 1 9	1 453 4 0	878 0 0	2 0 0	
Toungoo	140 0 0		1,346 12 7		2,360 14 7	19·94	991	1,09,147 3 3	1,949 12 0	1,145 8 0		
Tavoy	176 0 0		710 15 2		1,846 8 2	16·99	80	6,922 15 2	279 10 0	173 0 0	14 0 0	
Mergui	80 0 0		366 4 0		723 0 0	24 12	186	13,943 5 6	579 9 0	426 4 0	0 8 0	
Salween					3 0 0	6·11	22	2,967 3 9	85 8 0	17 0 0		
Moulmein							1,164	5,87,977 1 0	3,891 0 0	2,808 10 0		
Commissioner of Tenasserim	3 0 0		676 0 0		1,139 2 0	12·12						
Judicial Commissioner	418 0 0		4,696 6 2	493 12 0	8,135 9 2	10·19						
Rangoon Small Cause Courts							2,499	2,90,959 5 5	4,453 6 0	2,499 0 0		
Recorders Courts							170	8,15,254 11 8	775 14 6	596 8 0		
Special Court	60 0 0		1,720 8 0	75 9 0	2,639 14 0	3·89						
Total	3,302 2 0	8 8 0	29,330 5 2	2,706 12 9	52,613 6 11	13·18	16,989	27,94,362 11 10	38,513 4 6	22,632 8 0	156 12 0	176 0 0

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases including Executions of Decrees and other Miscellaneous Applications Disposed of in the different Classes of Courts in Lower Burma during the year 1886—(concluded).

Name of District or Court.	EXECUTION OF DECREES—concluded.			MISCELLANEOUS.								
	Costs of cases—concluded.					Costs of cases.						
	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Total amount of Court-fees, including process fees.	Total amount of process fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.
1	26	27	28	29	30	31	32	33	34	35	36	37
	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Akyab	127 5 0	2,965 15 0	1·67	921	88,467 2 4	1,149 14 0	787 0 0	180 2 0	209 8 0	3 0 0	1,542 8 0	1·76
Kyaukpyu	8 11 6	664 11 6	5·33	181	16,870 3 0	984 12 0	163 8 0	95 0 0	35 0 0	6 11 0	421 7 0	2·50
Sandoway	.....	306 9 0	2·61	29	1,965 14 4	72 11 0	51 8 0	31 8 0	35 0 0	.....	139 3 0	7·08
Arakan Hill Tracts	67 8 0	67 8 0	4·37	...	.....	.....	.....	.....	.....	.....	.....	...
Commissioner of Arakan	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Hanthawaddy	559 9 4	1,524 11 4	2·22	154	11,738 9 3	582 11 0	356 12 0	379 0 6	1,365 10 8	6 8 0	2,689 14 3	22·45
Pegu	60 0 0	2,823 9 0	1·92	261	74,570 12 7	1,054 13 0	764 1 0	250 8 0	586 6 0	50 7 0	1,943 3 0	2·60
Tharrawaddy	15 4 3	1,944 15 3	2·93	248	28,971 3 6	780 8 0	451 6 0	213 8 0	613 8 0	.....	2,058 8 0	7·10
Prome	578 1 0	2,192 6 0	2·98	355	57,666 5 0	852 10 0	497 8 0	162 8 6	305 12 0	157 13 0	1,476 11 6	2·56
Commissioner of Pegu	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Thôngwa	127 5 0	3,192 6 0	2·88	392	66,708 7 8	1,294 0 0	945 14 0	681 6 0	631 4 0	89 14 0	2,666 8 0	4·00
Bassein	263 7 3	3,605 1 3	1·99	554	1,17,606 8 9	1,391 6 0	1,045 8 0	445 6 0	901 8 0	37 12 0	3,766 0 0	3·35
Henzada	75 11 0	1,570 8 0	4·25	276	21,544 9 1	753 6 0	540 0 0	223 4 0	413 8 0	19 4 0	1,409 8 0	6·54
Thayetmyo	107 12 0	1,069 1 0	4·40	104	13,091 9 1	332 13 0	197 8 0	111 8 0	155 0 0	19 4 0	616 9 0	4·72
Commissioner of Irrawaddy	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Amherst	136 12 2	2,453 6 2	2·71	216	53,083 4 1	1,009 4 0	530 8 0	297 8 0	423 0 0	102 8 0	1,831 4 0	3·45
Shwegyin	.....	1,485 4 0	2·20	194	8,473 11 0	395 0 0	194 8 0	157 0 0	266 8 0	.....	818 8 0	9·65
Toungoo	261 8 0	2,111 4 0	2·07	223	30,269 9 10	593 6 0	335 0 0	218 4 0	892 0 0	19 8 0	1,813 2 0	5·99
Tavoy	51 9 0	345 3 0	4·79	11	3,419 5 0	41 8 0	21 8 0	11 0 0	25 0 0	18 13 0	96 5 0	2·83
Mergui	.....	580 1 0	4·16	56	6,114 9 6	206 2 0	120 8 0	60 8 0	65 0 0	.....	326 10 0	5·37
Salween	.....	94 8 0	2·10	9	3,357 14 4	11 0 0	4 8 0	8 0 0	.....	.....	19 0 0	0·57
Moulmein	929 0 0	4,880 0 0	0·90	267	2,56,090 5 0	2,827 9 0	451 0 0	124 0 0	792 0 0	330 0 0	4,063 9 0	1·59
Commissioner of Tenasserim	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Judicial Commissioner	.....	.....	...	67	100 0 0	74 6 0	15 0 0	.....	.....	.....	74 6 0	74·38
Rangoon Small Cause Courts	.....	4,453 6 0	1·53	1,800	44,593 4 2	670 15 0	337 12 0	71 8 0	334 0 0	0 15 0	1,077 6 0	2·48
Recorder's Courts	.....	775 14 6	0·10	191	4,46,400 0 0	5,706 10 0	411 8 0	72 0 0	867 0 0	420 0 0	7,065 10 0	1·58
Special Court ...	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total ...	3,382 7 6	37,227 8 0	1·33	5,379	12,49,107 2 6	20,082 4 0	8,142 7 0	3,863 7 0	9,204 8 8	1,262 5 0	34,412 8 8	2·55